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CUSTOMER NAME AND ADDRESS

UTAH COUNTY AUDITOR,
MICKLENA FRAMPTON
100 E CENTER ST STE 3600

PROVO UT 84606

ACCOUNT NUMBER

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DATE

9/13/2018

ACCOUNT NAME

UTAH COUNTY AUDITOR,

TELEPHONE

8018518238

ORDER # / INVOICE NUMBER

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PUBLICATION SCHEDULE

START 09/13/2018 END 09/13/2018

CUSTOMER REFERENCE NUMBER

2018-649

CAPTION

PUBLIC NOTICE ORDINANCE NO. 2018-17 WAS ADOPTED BY THE BOARD OF COU

SIZE

39 LINES

1 COLUMN(S)

TIMES

2

TOTAL COST

45.95

PUBLIC NOTICE

ORDINANCE NO. 2018-17
WAS ADOPTED BY THE
BOARD OF COUNTY COM-
MISSIONERS OF UTAH
COUNTY, UTAH, ON AU-
GUST 28, 2018, AMEND-
ING THE FOLLOWING SEC-
TIONS OF THE UTAH
COUNTY LAND USE ORDI-
NANCE, SECTION 2-2 TO
ADD OR AMEND CERTAIN
DEFINITIONS, VARIOUS
SECTIONS OF CHAPTER 3
AND CHAPTER 5 RELATED
TO SETBACK REQUIRE-
MENTS, VARIOUS SECTIONS
OF CHAPTER 5 TO LIST
"CAMPING" AS AN AL-
LOWED USE IN CERTAIN
ZONES, SECTION 7-4 AND
SECTION 7-9 RELATED TO
EXEMPTIONS FROM BUILD-
ING PERMIT AND ZONE
COMPLIANCE PERMIT RE-
QUIREMENTS.

A COMPLETE COPY OF THE
ORDINANCE IS AVAILABLE
AT THE UTAH COUNTY CLERK
K/AUDITOR'S OFFICE.
COMMISSIONER NATHAN
IVIE, COMMISSIONER WIL-
LIAM C. LEE, AND COM-
MISSIONER GREG GRAVES
VOTED IN FAVOR OF THE
ORDINANCE.
1224237 UPXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED
ADVERTISEMENT OF **PUBLIC NOTICE ORDINANCE NO. 2018-17 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS
OF UTAH COUNTY, UTAH, ON AUGUST 28, 2018, AMENDING THE FOLLOWING SECTIONS** 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 INDEFINITELY. COMPLIES
WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 09/13/2018 End 09/13/2018

DATE 9/13/2018

SIGNATURE

[Handwritten Signature]

STATE OF UTAH)

COUNTY OF SALT LAKE)

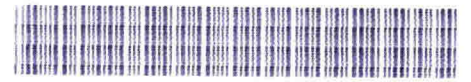
SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 13TH DAY OF SEPTEMBER IN THE YEAR 2018

BY LORAIN GUDMUNDSON.



[Handwritten Signature: Jae Levi]

NOTARY PUBLIC SIGNATURE



ENT 86492:2018 PG 1 of 10
JEFFERY SMITH
UTAH COUNTY RECORDER
2018 Sep 10 2:37 pm FEE 0.00 BY DA
RECORDED FOR UTAH COUNTY COMMISSIONERS

ORDINANCE NO. 2018- 17

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF THE UTAH COUNTY LAND USE ORDINANCE; SECTION 2-2 TO ADD OR AMEND CERTAIN DEFINITIONS, VARIOUS SECTIONS OF CHAPTER 3 AND CHAPTER 5 RELATED TO SETBACK REQUIREMENTS, VARIOUS SECTIONS OF CHAPTER 5 TO LIST "CAMPING" AS AN ALLOWED USE IN CERTAIN ZONES, SECTION 7-4 AND SECTION 7-9 RELATED TO EXEMPTIONS FROM BUILDING PERMIT AND ZONE COMPLIANCE PERMIT REQUIREMENTS

WHEREAS, the Planning Commission initiated a review of the following Sections of the Utah County Land Use Ordinance; Section 2-2 to add or amend certain definitions, various sections of Chapter 3 and Chapter 5 related to setback requirements, various sections of Chapter 5 to list "camping" as an allowed use in certain zones, Section 7-4 and Section 7-9 related to exemptions from building permit and zone compliance permit requirements; 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 17, 2018, 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 amendment, and the minutes of the Planning Commission meeting and the 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 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 2-2-A of the Utah County Land Use Ordinance is hereby amended, including the re-numbering of applicable subsections, to read as follows:

2-2: DEFINITIONS

- A. For purposes of this land use ordinance, definitions are provided for the following terms. Not all of the terms are used in this land use ordinance. The inclusion of any term defining a land use does not imply that the term is a permitted or conditionally permitted use in any zone, unless specifically stated as such in the applicable zone. Any term which is defined, but not used in this land use ordinance, is included to differentiate the term from other terms which are used in this land use ordinance:

40. **Dwelling:** A building of residence or sleeping including, but not limited to, the following mutually exclusive types: conventional dwellings or mobile homes.
- g. **Dwelling Unit:** One (1) or more rooms in a building or portion thereof designed, occupied or intended as a residence for a family with complete and independent facilities for living, sleeping, eating, cooking and sanitation provided within the dwelling unit. All habitable spaces within a dwelling unit shall maintain common interior access.
59. **Floor area:** Area within a structure enclosed by roof and walls.

Part II:

Sections 3-18, 5-2-F, 5-3-F, 5-4-F, 5-5-F, 5-6-F, 5-7-F, 5-8-F, 5-9-F, 5-10-F, 5-13-F, and 5-18-F of the Utah County Land Use Ordinance is hereby amended to read as follows:

3-18: LOCATION AND SETBACK REQUIREMENTS OF AGRICULTURAL BUILDINGS AND STRUCTURES

- A. No structure used for farm animals (specifically domestic livestock or mink or other fur bearing animals) shall be constructed or maintained closer than fifty (50) feet to an existing dwelling.
- B. No structure used for farm animals, feed yard, corral, pen, or coop shall be constructed or maintained closer than twenty (20) feet to any open waterway that drains into a natural stream. Surface drainage from feed yards, corrals, pens, or coops shall not be permitted to drain into a waterway that drains, either directly or indirectly, into a natural stream or lake.
- C. The setback distance from a side or rear property line for agricultural buildings and structures may be as determined by the currently adopted building codes but not less than a minimum of five (5) feet from any side or rear property line.
- D. In the Urban Wildland Interface Area, agricultural buildings and structures must be located not less than fifty (50) feet from buildings containing habitable spaces.

5-2: RA-5 RESIDENTIAL AGRICULTURAL ZONE**F. LOCATION REQUIREMENTS**

The minimum location requirements within the RA-5 zone shall be as follows:

1. Front Setback
All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a front setback of at least thirty (30) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.
2. Side and Rear Setback
All buildings and structures, other than landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a side and rear setback of at least fifteen (15) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

5-3: RR-5 RURAL RESIDENTIAL ZONE

F. LOCATION REQUIREMENTS

Except in recorded planned unit development, the minimum location requirements within the RR-5 zone shall be as follows:

1. Front Setback
All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a front setback of at least thirty (30) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.
2. Side and Rear Setback
All buildings and structures, other than landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a side and rear setback of at least fifteen (15) feet from any property line, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.
Exception: The minimum setback shall be the approved setback line where such line has been shown on a recorded large scale development plat which has a water system supplying hydrants with the fire flow amounts meeting current Utah County standards.

5-4: TR-5 TRANSITIONAL RESIDENTIAL ZONE

F. LOCATION REQUIREMENTS

Except in recorded planned unit development, where buildings shall be located as depicted on the approved plat and plans, the minimum location requirements within the TR-5 zone shall be as follows:

1. Front Setback
All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a front setback of at least thirty (30) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.
2. Side and Rear Setback
All buildings and structures, other than landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a side and rear setback of at least fifteen (15) feet from any property line, unless an alternate

setback is required or allowed by chapter 3 of this land use ordinance.

Exception: The minimum setback shall be the approved setback line where such line has been shown on a recorded large scale development plat which has a water system supplying hydrants with the fire flow amounts meeting current Utah County standards.

5-5: CE-1 CRITICAL ENVIRONMENT ZONE

F. LOCATION REQUIREMENTS

The minimum location requirements within the CE-1 zone shall be as follows:

1. Front Setback
All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a front setback of at least thirty (30) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.
2. Side and Rear Setback
All buildings and structures, other than landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a side and rear setback of at least fifteen (15) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

5-6: CE-2 CRITICAL ENVIRONMENTAL ZONE

F. LOCATION REQUIREMENTS

Except in recorded mountain home development, planned dwelling group, recreational resort, or seasonal home development plats where buildings shall be located according to the terms of approval of such plats, the minimum location requirements within the CE-2 zone shall be as follows:

1. Front Setback
All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a front setback of at least thirty (30) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.
2. Side and Rear Setback
All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a side and rear setback of at least fifteen (15) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

5-7: M&G-1 MINING AND GRAZING ZONE

F. LOCATION REQUIREMENTS

The minimum location requirements within the M&G-1 zone shall be as follows:

1. Front Setback
All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use

ordinance, shall have a front setback of at least thirty (30) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

2. Side and Rear Setback

All buildings and structures, other than landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a side and rear setback of at least fifteen (15) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

5-8: NC-1 NEIGHBORHOOD COMMERCIAL ZONE

F. LOCATION REQUIREMENTS

The minimum location requirements within the NC-1 zone shall be as follows:

1. Major Street Location

All individual NC-1 Neighborhood Commercial Zones shall abut and gain access from a state road, or a county road that has been designated as a collector or arterial road by the currently adopted Utah County General Plan.

2. Front Setback

All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a front setback of at least thirty (30) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

3. Side and Rear Setback

All buildings and structures, other than landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a side and rear setback of at least fifteen (15) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

5-9: HS-1 HIGHWAY SERVICE ZONE

F. LOCATION REQUIREMENTS

The minimum location requirements within the HS-1 zone shall be as follows:

1. Highway Location

All individual HS-1 Highway Service Zones shall abut a state road that Provides direct access to the zone.

2. Front Setback

All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a front setback of at least thirty (30) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

3. Side and Rear Setback

All buildings and structures, other than landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a side and rear setback of at least fifteen (15) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

5-10: I-1 INDUSTRIAL ZONEF. LOCATION REQUIREMENTS

The minimum location requirements within the I-1 zone shall be as follows:

1. Front Setback

All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a front setback of at least thirty (30) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

2. Side and Rear Setback

All buildings and structures, other than landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a side and rear setback to be determined by the adopted building and fire codes, but shall not be less than fifteen (15) feet from any property line that abuts a county RR-5 or TR-5 zone, or that abuts a city boundary with existing residential development or abuts a city boundary where the property is zoned within that city for future residential development.

5-13: A-40 AGRICULTURAL ZONEF. LOCATION REQUIREMENTS

The minimum location requirements within the A-40 zone shall be as follows:

1. Front Setback

All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a front setback of at least thirty (30) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

2. Side and Rear Setback

All buildings and structures, other than landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a side and rear setback of at least fifteen (15) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

5-18: G-1 GRAZING ZONEF. LOCATION REQUIREMENTS

The minimum location requirements within the G-1 zone shall be as follows:

1. Front Setback

All buildings and structures, other than certain public facilities, landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a front setback of at least thirty (30) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

2. Side and Rear Setback

All buildings and structures, other than landscaping features and fences which meet the standards of chapter 3 of this land use ordinance, shall have a side and

rear setback of at least fifteen (15) feet, unless an alternate setback is required or allowed by chapter 3 of this land use ordinance.

Part III:

Sections 3-18, 5-2-B, 5-3-B, 5-4-B, 5-5-B, 5-6-B, 5-7-B, 5-13-B, and 5-18-B of the Utah County Land Use Ordinance is hereby amended to read as follows:

5-2: RA-5 RESIDENTIAL AGRICULTURAL ZONE

B. PERMITTED USES

30. Camping on private property by property owners and their permitted guests.

5-3: RR-5 RURAL RESIDENTIAL ZONE

B. PERMITTED USES

16. Camping on private property by property owners and their permitted guests.

5-4: TR-5 TRANSITIONAL RESIDENTIAL ZONE

B. PERMITTED USED

16. Camping on private property by property owners and their permitted guests.

5-5: CE-1 CRITICAL ENVIRONMENTAL ZONE

B. PERMITTED USES

21. Camping on private property by property owners and their permitted guests.

5-6: CE-2 CRITICAL ENVIRONMENTAL ZONE

B. PERMITTED USES

21. Camping on private property by property owners and their permitted guests.

5-7 M&G-1 MINING AND GRAZING ZONE

B. PERMITTED USES

32. Camping on private property by property owners and their permitted guests.

5-13 A-40 AGRICULTURAL ZONE

B. PERMITTED USES

27. Camping on private property by property owners and their permitted guests.

5-18 G-1 GRAZING ZONE

B. PERMITTED USES

29. Camping on private property by property owners and their permitted guests.

Part IV:

Sections 7-4 and 7-9 of the Utah County Land Use Ordinance is hereby amended to read as follows:

7-4: PERMITS FOR BUILDING, GRADING, AND LAND USE

Any owner or authorized agent who intends to establish or change the use of land, fill, excavate, or grade earth materials, construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the building and safety codes adopted by the County, or to cause such work to be done, shall first make application to the Zoning Administrator and shall obtain the required permits and a zoning compliance permit. A zoning compliance permit shall not be required for any structure determined to be exempt from a building permit by the currently adopted building construction codes of Utah County. However, such structure(s) shall be required to meet all other applicable provisions of this ordinance, including setback requirements.

7-9: ZONING COMPLIANCE PERMIT REQUIRED

A. INITIAL ZONING COMPLIANCE PERMIT

It shall be unlawful to construct, use or occupy, or permit the construction, use or occupancy, of any building or land until any applicable zoning compliance permit has been issued by the Zoning Administrator stating that the proposed use of the building or land conforms to the requirements of this ordinance.

B. ZONING COMPLIANCE PERMIT TO CHANGE A NONCONFORMING USE OR A NONCOMPLYING STRUCTURE

No nonconforming use or noncomplying structure shall be changed or extended until any applicable zoning compliance permit is issued by the Zoning Administrator stating that the proposed use of the building or land conforms to the requirements of this ordinance.

C. CERTIFICATE OF OCCUPANCY OR COMPLETION, LIMITED REVIEW

Where the Zoning Administrator has determined that a proposed building or use will comply with this ordinance and issues approval for a permit pursuant thereto; and the construction has been completed; the Administrator's scope of review in issuing any applicable certificate of occupancy or completion shall be limited to the approved application form, approved plans, and the terms of the approved permits, not a review de novo.

D. CERTIFICATE OF OCCUPANCY OR COMPLETION ISSUED UPON COMPLETION OF CONSTRUCTION; EXCEPTION

Any applicable certificate of occupancy or completion shall not be issued until all construction is completed.

Part V:

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 VI:

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 VII:

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 28th day of August 2018.

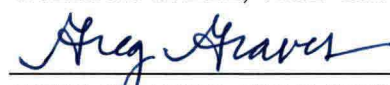
UTAH COUNTY COMMISSION**VOTE**


NATHAN IVIE, CHAIR

aye


WILLIAM C. LEE, VICE-CHAIR

aye


GREG GRAVES, COMMISSIONER

aye

ATTEST:
BRYAN E. THOMPSON
County Clerk/Auditor

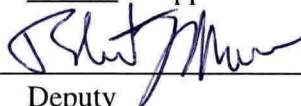
By: 



APPROVED AS TO FORM:
JEFFREY R. BUHMAN
County Attorney

 Approved

Deputy

Disapproved
By: 

Deputy

Date of Publication: Once only, as soon as possible