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The Salt Lake Tribune

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ACCOUNT NUMBER

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

9001334912

DATE

PROVO UT 84606

9/26/2018

ACCOUNT NAME

UTAH COUNTY AUDITOR,

TELEPHONE

ORDER # / INVOICE NUMBER

8018518238

0001225789 /

PUBLICATION SCHEDULE

START 09/26/2018 END 09/26/2018

CUSTOMER REFERENCE NUMBER

2018-649

CAPTION

PUBLIC NOTICE ORDINANCE NO. 2018-18 WAS ADOPTED BY THE BOARD OF COU

SIZE

25 LINES 1 COLUMN(S)

TIMES

TOTAL COST

2

31.25

**PUBLIC NOTICE**  
ORDINANCE NO. 2018-18 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON SEPTEMBER 4, 2018, AMENDING CHAPTER 6 OF THE UTAH COUNTY LAND USE ORDINANCE, RELATED TO REQUIREMENTS FOR DEVELOPMENT PLATS.  
A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE UTAH COUNTY CLERK/AUDITOR'S OFFICE, COMMISSIONER NATHAN IVIE, COMMISSIONER WILLIAM C. LEE, AND COMMISSIONER GREG GRAVES VOTED IN FAVOR OF THE ORDINANCE.  
1225789 UPAKLP

**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. 2018-18 WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH, ON SEPTEMBER 4, 2018, AMENDING CHAPTER 6 OF THE UTAH** 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 09/26/2018 End 09/26/2018

DATE 9/26/2018

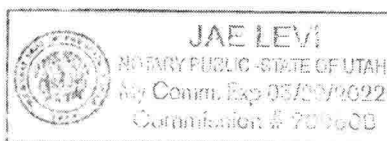
SIGNATURE *Loraine Gudmundson*

STATE OF UTAH )

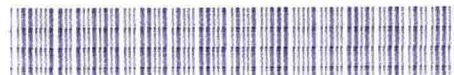
COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 26TH DAY OF SEPTEMBER IN THE YEAR 2018

BY LORAIN GUDMUNDSON



*Jae Levi*  
NOTARY PUBLIC SIGNATURE



ORDINANCE NO. 2018- 18

**AN ORDINANCE AMENDING CHAPTER 6 OF THE UTAH COUNTY LAND USE ORDINANCE, RELATED TO REQUIREMENTS FOR DEVELOPMENT PLATS**

**WHEREAS**, the Planning Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with amending Chapter 6 of the Utah County Land Use Ordinance, related to requirements for development plats; 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 August 21, 2018, and made a recommendation to the Board of County Commissioners regarding the proposed amendments; and

**WHEREAS**, a public hearing regarding the proposed amendments was scheduled and held during the regularly scheduled meeting of the Planning Commission, on August 21, 2018; and

**WHEREAS**, the Board of County Commissioners has received and carefully reviewed the recommendation from the Planning Commission regarding the proposed amendments, the minutes of the August 21, 2018 Utah County 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 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 conform to the Utah County General Plan, 2014, and are 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 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:**

Subsection 6-1-E-18 of the Utah County Land Use Ordinance is hereby amended to read as follows:

- 6-1: GENERAL PROVISIONS
- E. PROCEDURES

ENT 90923:2018 PG 1 of 16  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2018 Sep 21 3:15 pm FEE 0.00 BY MA  
RECORDED FOR UTAH COUNTY COMMISSIONERS

### 18. Construction of Required Improvements

- a. After receiving final approval from the County Commission, the developer shall execute a subdivision improvement and warranty agreement, in the form approved by the County, and
  - i. prior to recording the plat and prior to any development activity, the developer shall, within a period of time not to exceed one year from the date of the approval of the development by the County Commission, or within such extended period of time during which the approval of the development remains viable as provided in Subsection 6-1-E-16 of this land use ordinance, construct and complete all required improvements and post a cash warranty bond with the County; or
  - ii. upon request by the developer, the developer may post a cash construction bond with the County before recording the plat, in an amount equal to 125% of the estimated cost of the required improvements, as determined by the County Engineer, to guarantee the installation of the required improvements without cost to Utah County, and a cash warranty bond.

The final plat shall not be recorded until the developer has executed a subdivision improvement and warranty agreement, in the form approved by the County, and the improvements are either constructed or the construction bond and the warranty bond are delivered to and approved by the County. The construction bond, however, shall not limit the liability of the developer to install improvements, for the developer shall be obligated to the full extent of the cost of installing the improvements required by this ordinance. Private parties shall not be deemed third-party beneficiaries of the construction bond or of the warranty bond.

- b. All required improvements shall be constructed in accordance with approved plans and Utah County development standards and inspected by the County Engineer. The developer shall pay an inspection fee to the County in the amount set by the County.

## **Part II:**

Subsection 6-2-C-7 of the Utah County Land Use Ordinance is hereby amended to read as follows:

### 6-2: PLANNED UNIT DEVELOPMENT

#### C. APPLICATION REQUIREMENTS

##### 7. Plat

The plat shall be reproducible and drawn in accordance with county standards at a scale of one-inch equals one hundred feet (1"=100') or as directed by the Zoning Administrator, and shall include the following:

- a. Perimeter boundary of the development, including any road dedication areas, and the location of all required survey monuments.

- b. The location of, all lot lines and setback lines, and/or building site areas, and the identifying number for each lot, block, and building site in the development.
- c. The location and identification of the building sites of common facilities, recreational structures and service buildings.
- d. The name, location, and extent of all streets and the location and nature of all other parcels of land to be dedicated to the public or reserved for common use by the residents of the development.
- e. The location and identification of all easements and their specific use.
- f. The location and extent of all parcels within the development which are subject to the restrictions imposed by the open space preservation agreement or any limitations and conditions of approval written on the plat.
- g. Statements of limitations or conditions of approval required to be written on the plat by the County Commission, and other statements or information required by this land use ordinance, or other applicable law.
- h. The following certifications:
  - i. The certificate and seal of survey accuracy by the surveyor or engineer preparing the plat.
  - ii. The owner's dedication of land for public use, the owner's conveyance of easements and parcels for utilities or for common use by the residents of the development, and the owner's acceptance of the limitations or conditions of approval.
  - iii. The acknowledgment of the owner's dedication by a Utah Notary Public (or an equivalent officer authorized to acknowledge conveyances of real estate if the owner is out of state).
  - iv. The County Commission's approval of the development and its acceptance of dedication of streets, easements, etc., along with the attesting signature and stamp of the County Clerk/Auditor. The plat shall include the following signature block for these purposes:

*ACCEPTANCE BY COUNTY COMMISSION*

*The County Commission of Utah County approves this planned unit development and hereby accepts the dedication of all streets, easements, and other parcels of land intended for public purposes for the perpetual use of the public this \_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_.*

\_\_\_\_\_  
*Commissioner*

\_\_\_\_\_  
*Commissioner*

\_\_\_\_\_  
*Commissioner*

*Attest:* \_\_\_\_\_  
*Clerk / Auditor*

- v. The County Engineer's certification and stamp that the approved plans for the development conform to the Utah County standards and requirements for roads and other improvements. The plat shall include the following signature block for these purposes:

*COUNTY ENGINEER CERTIFICATION*

*The County Engineer of Utah County certifies the plans for this development conform to the Utah County standards and requirements for roads and other improvements.*

\_\_\_\_\_, \_\_\_\_\_  
*Sign Date*

- vi. The culinary water and sanitary sewer authority’s approval of the culinary water and sanitary sewer facilities of the development. The plat shall include the following signature blocks for these purposes:

*APPROVAL BY THE CULINARY WATER AUTHORITY*

*The undersigned culinary water authority approves this plat for culinary water purposes, subject to the conditions stated on this plat.*

\_\_\_\_\_, \_\_\_\_\_  
*Sign Date*

*APPROVAL BY THE SANITARY SEWER AUTHORITY*

*The undersigned sanitary sewer authority approves this plat for sanitary sewer purposes, subject to the conditions stated on this plat.*

\_\_\_\_\_, \_\_\_\_\_  
*Sign Date*

- vii. The utility owners’ and/or operators’ approval of the applicable underground utilities, other utility facilities, easements, rights-of-way, etc., of the development; however, Utah County shall not require the plat to be approved or signed by a person or entity who does not provide a utility or other service directly to the lots within the development, unless provided or required by the Utah Code Annotated 1953, as amended. The plat shall include the following signature block for this purpose:

*APPROVAL BY OWNERS AND OPERATORS OF UNDERGROUND UTILITIES AND OTHER UTILITY FACILITIES*

*The undersigned owners or operators of the underground utilities and other utility facilities located on this plat hereby approve the boundary, course, dimensions, and intended use of the right-of-way and easement grants of record; hereby approve the location of existing underground and utility facilities; and hereby approve the conditions or restrictions governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the development, as shown on this plat.*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

viii. Certifications required by State Law and other certifications if required by the County Commission, as permitted by this land use ordinance or other applicable law.

Exception: The County Commission in consultation with the Attorney’s Office may approve modifications to the required certifications, as needed, to address the individual circumstances of applications.

**Part III:**

Subsection 6-3-C-8 of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-3: PLANNED SUBDIVISIONS

C. APPLICATION REQUIREMENTS

8. Plat

The plat shall be reproducible and be drawn in accordance with county standards at a scale of one-inch equals one hundred feet (1"=100') or as directed by the Zoning Administrator, and shall include the following:

- a. Perimeter boundary of the development, including any road dedication areas, and the location of all required survey monuments.
- b. The location of all lot lines and/or building site areas, and the identifying number for each lot, block, and building site in the development.
- c. The name, location, and extent of all streets and the location and nature of all other parcels of land to be dedicated to the public or reserved for common use by the residents of the development.
- d. The location and identification of all easements and their specific use.
- e. The location and extent of all parcels within the development which are subject to deed restrictions or any other limitations, or which are subject to conditions of approval written on the plat.
- f. Statements of limitations or conditions of approval required to be written on the plat by the County Commission, and other statements or information required by this land use ordinance, or other applicable law.
- g. The following certifications:
  - i. The certificate and seal of survey accuracy by the surveyor or engineer preparing the plat.
  - ii. The owner's dedication of land for public use, and the owner's conveyance of easements and parcels for utilities or other special use.
  - iii. The acknowledgment of the owner's dedication by a Utah Notary Public



*The undersigned sanitary sewer authority approves this plat for sanitary sewer purposes, subject to the conditions stated on this plat.*

\_\_\_\_\_, \_\_\_\_\_  
*Sign Date*

- vii. The utility owners' and/or operators' approval of the applicable underground utilities, other utility facilities, easements, rights-of-way, etc., of the development; however, Utah County shall not require the plat to be approved or signed by a person or entity who does not provide a utility or other service directly to the lots within the development, unless provided or required by the Utah Code Annotated 1953, as amended. The plat shall include the following signature block for this purpose:

*APPROVAL BY OWNERS AND OPERATORS OF UNDERGROUND UTILITIES AND OTHER UTILITY FACILITIES*

*The undersigned owners or operators of the underground utilities and other utility facilities located on this plat hereby approve the boundary, course, dimensions, and intended use of the right-of-way and easement grants of record; hereby approve the location of existing underground and utility facilities; and hereby approve the conditions or restrictions governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the development, as shown on this plat.*

|                                  |                                  |
|----------------------------------|----------------------------------|
| _____<br><i>Utility Provider</i> | _____<br><i>Utility Provider</i> |
| _____<br><i>Utility Provider</i> | _____<br><i>Utility Provider</i> |

- viii. Certifications required by State Law and other certifications if required by the County Commission, as permitted by this land use ordinance or other applicable law.

Exception: The County Commission in consultation with the County Attorney's Office may approve modifications to the required certifications, as needed, to address the individual circumstances of applications.

**Part IV:**

Subsection 6-4-C-8 of the Utah County Land Use Ordinance is hereby amended to read as follows:

- 6-4: MOUNTAIN HOME DEVELOPMENTS
- C. APPLICATION REQUIREMENTS
- 8. Plat

The plat shall be reproducible and shall be drawn in accordance with county standards at a scale of one-inch equals one hundred feet (1"=100') or as directed by the Zoning Administrator, and shall include the following:

- a. Perimeter boundary of the development, including any road dedication areas, and the location of all required survey monuments.
- b. The location of all lot lines and/or building site areas, and the identifying number for each lot, block, and building site in the development.
- c. The name, location, and extent of all streets and the location and nature of all other parcels of land to be dedicated to the public or reserved for common use by the residents of the development.
- d. The location and identification of all easements and their specific use.
- e. The location and extent of all parcels within the development which are subject to the restrictions imposed by the open space preservation agreement or any other limitations, or which are subject to conditions of approval which are written on the plat.
- f. Statements of limitations or conditions of approval required to be written on the plat by the County Commission, and other statements or information required by this land use ordinance, or other applicable law.
- g. The following certifications:
  - i. The certificate and seal of survey accuracy by the surveyor or engineer preparing the plat.
  - ii. The owner's dedication of land for public use, the owner's conveyance of easements and parcels for utilities or for common use by the residents of the development, and the owner's acceptance of the limitations or conditions of approval.
  - iii. The acknowledgment of the owner's dedication by a Utah Notary Public (or an equivalent officer authorized to acknowledge conveyances of real estate if the owner is out of state).
  - iv. The County Commission's approval of the development and its acceptance of dedication of streets, easements, etc., along with the attesting signature and stamp of the County Clerk/Auditor. The plat shall include the following signature block for these purposes:

*ACCEPTANCE BY COUNTY COMMISSION*

*The County Commission of Utah County approves this mountain home development and hereby accepts the dedication of all streets, easements, and other parcels of land intended for public purposes for the perpetual use of the public this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_.*

\_\_\_\_\_  
*Commissioner*

\_\_\_\_\_  
*Commissioner*

\_\_\_\_\_  
*Commissioner*

*Attest:* \_\_\_\_\_  
*Clerk / Auditor*

- v. The County Engineer's certification and stamp that the approved plans for the development conform to the Utah County standards and

requirements for roads and other improvements. The plat shall include the following signature block for these purposes:

*COUNTY ENGINEER CERTIFICATION*

*The County Engineer of Utah County certifies the plans for this development conform to the Utah County standards and requirements for roads and other improvements.*

\_\_\_\_\_,  
*Sign* *Date*

- vi. The culinary water and sanitary sewer authority’s approval of the culinary water and sanitary sewer facilities of the development. The plat shall include the following signature blocks for these purposes:

*APPROVAL BY THE CULINARY WATER AUTHORITY*

*The undersigned culinary water authority approves this plat for culinary water purposes, subject to the conditions stated on this plat.*

\_\_\_\_\_,  
*Sign* *Date*

*APPROVAL BY THE SANITARY SEWER AUTHORITY*

*The undersigned sanitary sewer authority approves this plat for sanitary sewer purposes, subject to the conditions stated on this plat.*

\_\_\_\_\_,  
*Sign* *Date*

- vii. The utility owners’ and/or operators’ approval of the applicable underground utilities, other utility facilities, easements, rights-of-way, etc., of the development; however, Utah County shall not require the plat to be approved or signed by a person or entity who does not provide a utility or other service directly to the lots within the development, unless provided or required by the Utah Code Annotated 1953, as amended. The plat shall include the following signature block for this purpose:

*APPROVAL BY OWNERS AND OPERATORS OF UNDERGROUND UTILITIES AND OTHER UTILITY FACILITIES*

*The undersigned owners or operators of the underground utilities and other utility facilities located on this plat hereby approve the boundary, course, dimensions, and intended use of the right-of-way and easement grants of record; hereby approve the location of existing underground and utility facilities; and hereby approve the conditions or restrictions*

*governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the development, as shown on this plat.*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

viii. Certifications required by State Law and other certifications if required by the County Commission, as permitted by this land use ordinance or other applicable law.

Exception: The County Commission in consultation with the County Attorney’s Office may approve modifications to the required certifications, as needed, to address the individual circumstances of applications.

**Part V:**

Subsection 6-5-C-8 of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-5: RECREATIONAL RESORTS

C. APPLICATION REQUIREMENTS

8. Plat

The plat shall be reproducible and shall be drawn in accordance with county standards at a scale of one-inch equals one hundred feet (1"=100') or as directed by the Zoning Administrator, and shall include the following:

- a. Perimeter boundary of the development, including any road dedication areas, and the location of all required survey monuments.
- b. The location of all lot lines and setback lines, and/or building site areas, and the identifying number for each lot, block, and building site in the development.
- c. The name, location, and extent of all streets and the location and nature of all other parcels of land to be dedicated to the public or reserved for common use by the residents of the development.
- d. The location and identification of all easements and their specific use.
- e. The location and extent of all parcels within the development which are subject to the restrictions imposed by the open space preservation agreement or any other limitations, or which are subject to conditions of approval which are written on the plat.
- f. Statements of limitations or conditions of approval required to be written on the plat by the County Commission, and other statements or information required by this land use ordinance, or other applicable law.

- g. The following certifications:
  - i. The certificate and seal of survey accuracy by the surveyor or engineer preparing the plat.
  - ii. The owner's dedication of land for public use, the owner's conveyance of easements and parcels for utilities or for common use by the residents of the development, and the owner's acceptance of the limitations or conditions of approval.
  - iii. The acknowledgment of the owner's dedication by a Utah Notary Public (or an equivalent officer authorized to acknowledge conveyances of real estate if the owner is out of state).
  - iv. The County Commission's approval of the development and its acceptance of dedication of streets, easements, etc., along with the attesting signature and stamp of the County Clerk/Auditor. The plat shall include the following signature block for these purposes:

*ACCEPTANCE BY COUNTY COMMISSION*

*The County Commission of Utah County approves this recreational resort and hereby accepts the dedication of all streets, easements, and other parcels of land intended for public purposes for the perpetual use of the public this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_.*

|                     |                                |
|---------------------|--------------------------------|
| <i>Commissioner</i> | <i>Commissioner</i>            |
| <i>Commissioner</i> | <i>Attest: Clerk / Auditor</i> |

- v. The County Engineer's certification and stamp that the approved plans for the development conform to the Utah County standards and requirements for roads and other improvements. The plat shall include the following signature block for these purposes:

*COUNTY ENGINEER CERTIFICATION*

*The County Engineer of Utah County certifies the plans for this development conform to the Utah County standards and requirements for roads and other improvements.*

|             |             |
|-------------|-------------|
| <i>Sign</i> | <i>Date</i> |
|-------------|-------------|

- vi. The culinary water and sanitary sewer authority's approval of the culinary water and sanitary sewer facilities of the development. The plat shall include the following signature blocks for these purposes:

*APPROVAL BY THE CULINARY WATER AUTHORITY*

*The undersigned culinary water authority approves this plat for culinary water purposes, subject to the conditions stated on this plat.*

\_\_\_\_\_  
*Sign* \_\_\_\_\_ *Date*

*APPROVAL BY THE SANITARY SEWER AUTHORITY*

*The undersigned sanitary sewer authority approves this plat for sanitary sewer purposes, subject to the conditions stated on this plat.*

\_\_\_\_\_  
*Sign* \_\_\_\_\_ *Date*

- vii. The utility owners' and/or operators' approval of the applicable underground utilities, other utility facilities, easements, rights-of-way, etc., of the development; however, Utah County shall not require the plat to be approved or signed by a person or entity who does not provide a utility or other service directly to the lots within the development, unless provided or required by the Utah Code Annotated 1953, as amended. The plat shall include the following signature block for this purpose:

*APPROVAL BY OWNERS AND OPERATORS OF UNDERGROUND UTILITIES AND OTHER UTILITY FACILITIES*

*The undersigned owners or operators of the underground utilities and other utility facilities located on this plat hereby approve the boundary, course, dimensions, and intended use of the right-of-way and easement grants of record; hereby approve the location of existing underground and utility facilities; and hereby approve the conditions or restrictions governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the development, as shown on this plat.*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

- viii. Certifications required by State Law and other certifications if required by the County Commission, as permitted by this land use ordinance or other applicable law.

Exception: The County Commission in consultation with the County Attorney's Office may approve modifications to the required certifications, as

needed, to address the individual circumstances of applications.

**Part VI:**

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

6-6: PLANNED NONRESIDENTIAL SUBDIVISION

C. APPLICATION REQUIREMENTS

7. Plat

The plat shall be reproducible and be drawn in accordance with county standards at a scale of one-inch equals one hundred feet (1"=100') or as directed by the Zoning Administrator, and shall include the following:

- a. Perimeter boundary of the development, including any road dedication areas, and the location of all required survey monuments.
- b. The location of all lot lines and/or building site areas, and the identifying number for each lot, block, and building site in the development.
- c. The name, location, and extent of all streets and the location and nature of all other parcels of land to be dedicated to the public, if applicable.
- d. The location and identification of all easements and their specific use.
- e. The location and extent of all parcels within the development which are subject to deed restrictions or any other limitations, or which are subject to conditions of approval written on the plat.
- f. Statements of limitations or conditions of approval required to be written on the plat by the County Commission, and other statements or information required by this land use ordinance, or other applicable law.
- g. The following certifications:
  - i. The certificate and seal of survey accuracy by the surveyor or engineer preparing the plat.
  - ii. The owner's dedication of land for public use, and the owner's conveyance of easements and parcels for utilities or other special use, and the owner's acceptance of the limitations or conditions of approval.
  - iii. The acknowledgment of the owner's dedication by a Utah Notary Public (or an equivalent officer authorized to acknowledge conveyances of real estate if the owner is out of state).
  - iv. The County Commission's approval of the development and its acceptance of dedication of streets, easements, etc., along with the attesting signature and stamp of the County Clerk/Auditor. The plat shall include the following signature block for these purposes:

*ACCEPTANCE BY COUNTY COMMISSION*

*The County Commission of Utah County approves this subdivision and hereby accepts the dedication of all streets, easements, and other parcels of land intended for public purposes for the perpetual use of the public this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_.*

\_\_\_\_\_  
*Commissioner*

\_\_\_\_\_  
*Commissioner*

\_\_\_\_\_  
*Commissioner*

*Attest:* \_\_\_\_\_  
*Clerk / Auditor*

- v. The County Engineer’s certification and stamp that the approved plans for the development conform to the Utah County standards and requirements for roads and other improvements. The plat shall include the following signature block for these purposes:

*COUNTY ENGINEER CERTIFICATION*

*The County Engineer of Utah County certifies the plans for this development conform to the Utah County standards and requirements for roads and other improvements.*

\_\_\_\_\_  
*Sign*

\_\_\_\_\_  
*Date*

- vi. The culinary water and sanitary sewer authority’s approval of the culinary water and sanitary sewer facilities of the development. The plat shall include the following signature blocks for these purposes:

*APPROVAL BY THE CULINARY WATER AUTHORITY*

*The undersigned culinary water authority approves this plat for culinary water purposes, subject to the conditions stated on this plat.*

\_\_\_\_\_  
*Sign*

\_\_\_\_\_  
*Date*

*APPROVAL BY THE SANITARY SEWER AUTHORITY*

*The undersigned sanitary sewer authority approves this plat for sanitary sewer purposes, subject to the conditions stated on this plat.*

\_\_\_\_\_  
*Sign*

\_\_\_\_\_  
*Date*

- vii. The utility owners’ and/or operators’ approval of the applicable underground utilities, other utility facilities, easements, rights-of-way, etc., of the development; however, Utah County shall not require the plat to be approved or signed by a person or entity who does not provide a utility or other service directly to the lots within the development, unless provided or required by the Utah Code Annotated 1953, as amended. The

plat shall include the following signature block for this purpose:

*APPROVAL BY OWNERS AND OPERATORS OF UNDERGROUND UTILITIES AND OTHER UTILITY FACILITIES*

*The undersigned owners or operators of the underground utilities and other utility facilities located on this plat hereby approve the boundary, course, dimensions, and intended use of the right-of-way and easement grants of record; hereby approve the location of existing underground and utility facilities; and hereby approve the conditions or restrictions governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the development, as shown on this plat.*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

\_\_\_\_\_  
*Utility Provider*

viii. Certifications required by State Law and other certifications if required by the County Commission, as permitted by this land use ordinance or other applicable law.

Exception: The County Commission in consultation with the County Attorney’s Office may approve modifications to the required certifications, as needed, to address the individual circumstances of applications.

**Part VII:**

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 VIII:**

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 IX:**

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 4th day of September 2018.

**UTAH COUNTY COMMISSION**

**VOTE**

  
\_\_\_\_\_  
NATHAN IVIE, CHAIR

aye

  
\_\_\_\_\_  
WILLIAM C. LEE, VICE-CHAIR

aye

  
\_\_\_\_\_  
GREG GRAVES, COMMISSIONER

aye

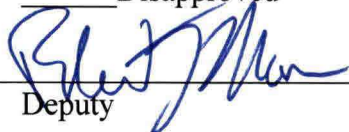
**ATTEST:**  
**BRYAN E. THOMPSON**  
County Clerk/Auditor

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

By:   
\_\_\_\_\_  
Deputy

Approved



By:   
\_\_\_\_\_  
Deputy

Disapproved

Date of Publication: Once only, as soon as possible

August 21, 2018

**UTAH COUNTY PLANNING COMMISSION STAFF REPORT**

- I. APPLICATION: (Public Hearing)**
- A. APPLICANT - Utah County Planning Commission**
- B. REQUEST - Proposed Utah County Land Use Ordinance text amendments to Chapter 6, relative to requirements for development plats**
- C. LOCATION - Unincorporated Utah County**

**II. EXECUTIVE SUMMARY:**

This proposal is a collection of amendments to Chapter 6 of the Utah County Land Use Ordinance (Ordinance) to require—by way of the Ordinance—a number of signatures, signature blocks, and seals for development plats. These signatures, signature blocks, and seals have historically been required by the County despite no requirement for such in the Ordinance. Staff believes requiring the subject signatures, signature blocks, and seals are important to explicitly and succinctly demonstrate approval from the applicable approval bodies, and/or conformance with applicable standards and/or requirements, for a development.

**III. STAFF ANALYSIS:**

Utah County has many signatures, signature blocks, and seals that have historically been required to be included on development plats; however, there is no requirement in the Ordinance for some of these. The Ordinance establishes requirements for the following signatures, dedications, certifications, etc.:

- The certificate of survey accuracy by the surveyor or engineer preparing the plat
- The owner's dedication of land for public use, and the owner's conveyance of easements and parcels for utilities or other special use
- The acknowledgment of the owner's dedication by a Utah Notary Public (or an equivalent officer authorized to acknowledge conveyances of real estate if the owner is out of state)
- The County Commission's approval of the development and its acceptance of dedication of streets, easements, etc., along with the attesting signature of the County Clerk/Auditor

In addition to the above referenced, required signatures, dedications, certifications, etc., Utah County has required the following signatures, signature blocks, and seals to be included on plats:

- Approval signature of the County Engineer
- Approval by Owners and Operators of Underground Utilities and Other Utility Facilities
- Approval by the Culinary Water Authority
- Approval by the Sanitary Sewer Authority
- Surveyor's Seal
- County Engineer's Seal

- Clerk-Recorder Seal

This proposal is to establish requirements in the Ordinance for signatures, signature blocks, and seals for development plats for which there is currently no requirement. The proposal would require a certification from the County Engineer—that the plans for a development conform to the Utah County standards and requirements for roads and other improvements—rather than a simple approval signature. An applicant is required to obtain a written certification—from the County Engineer—of development conformance prior to plat approval. The County Engineer’s certification on the plat will offer a lot owner or plat user a more easily accessible place to find the County Engineer’s certification, as opposed to the development file located in the Community Development office.

Further, the proposal also includes the following: (1) General language clean-up; (2) Clarification that the County Clerk/Auditor—and not Recorder—shall stamp (or seal) a plat; (3) An exception to allow the County Attorney to approve the modification of required certifications to account for the individual circumstances of development applications; (4) A requirement that applicable utility providers approve of plats relative to easements, rights-of-way, utilities, etc. ; and (5) A fairly simple amendment to Subsection 6-1-E-18 of the Ordinance to clarify that certain provisions within it apply to all of the subsection, rather than a portion. Additionally, this amendment to Subsection 6-1-E-18 allowed staff to trim down the County Engineer’s certification (an earlier draft of the proposal included—within the County Engineer’s certification—a statement about the developer entering into subdivision improvement and warranty agreement).

The subject proposal is at least partially inspired by a somewhat recent amendment of the Utah Code that clarified the importance of focusing on the plain language of ordinances and requirements.

If approved, this proposal will require additional signatures, signature blocks, and seals for development plats (they have historically been required without the backing of an ordinance or code). Staff believes these signatures, signature blocks, and seals are important as they help a plat user to clearly and easily find applicable approvals and conformance with applicable standards and requirements, as opposed to searching for approvals in the development folder in the Community Development office.

## **PROPOSED AMENDMENTS –**

Subsection 6-1-E-18 of the Utah County Land Use Ordinance is proposed to be amended as follows (additions are in red, underlined font and deletions are in ~~red, crossed-out font~~):

6-1: GENERAL PROVISIONS

E. PROCEDURES

18. Construction of Required Improvements

- a. After receiving final approval from the County Commission, the developer shall execute a subdivision improvement and warranty agreement, in the form approved by the County, and
  - i. prior to recording the plat and prior to any development activity, the developer shall, within a period of time not to exceed one year from the date of the approval of the development by the County Commission, or within such extended period of time during which the approval of the development

remains viable as provided in Subsection 6-1-E-16 of this land use ordinance, construct and complete all required improvements and post a cash warranty bond with the County; or

- ii. upon request by the developer, the developer may post a cash construction bond with the County before recording the plat, in an amount equal to 125% of the estimated cost of the required improvements, as determined by the County Engineer, to guarantee the installation of the required improvements without cost to Utah County, and a cash warranty bond. ~~The final plat shall not be recorded until the developer has executed a subdivision improvement and warranty agreement, in the form approved by the County, and the improvements are either constructed or the construction bond and the warranty bond are delivered to and approved by the County. The construction bond, however, shall not limit the liability of the developer to install improvements, for the developer shall be obligated to the full extent of the cost of installing the improvements required by this ordinance. Private parties shall not be deemed third-party beneficiaries of the construction bond or of the warranty bond.~~

The final plat shall not be recorded until the developer has executed a subdivision improvement and warranty agreement, in the form approved by the County, and the improvements are either constructed or the construction bond and the warranty bond are delivered to and approved by the County. The construction bond, however, shall not limit the liability of the developer to install improvements, for the developer shall be obligated to the full extent of the cost of installing the improvements required by this ordinance. Private parties shall not be deemed third-party beneficiaries of the construction bond or of the warranty bond.

- b. All required improvements shall be constructed in accordance with approved plans and Utah County development standards and inspected by the County Engineer. The developer shall pay an inspection fee to the County in the amount set by the County.

Subsection 6-2-C-7 of the Utah County Land Use Ordinance is proposed to be amended as follows (additions are in red, underlined font and deletions are in ~~red, crossed-out font~~):

6-2: PLANNED UNIT DEVELOPMENT

C. APPLICATION REQUIREMENTS

7. Plat

The plat shall be reproducible and drawn in accordance with county standards at a scale of ~~one inch~~ one-inch equals one hundred feet (1"=100') or as directed by the Zoning Administrator, and shall ~~show~~ include the following:

- a. Perimeter boundary of the development, including any road dedication areas, and the location of all required survey monuments.
- b. The location of, all lot lines and setback lines, and/or building site areas, and the identifying number for each lot, block, and building site in the development.
- c. The location and identification of the building sites of common facilities, recreational structures and service buildings.
- d. The name, location, and extent of all streets and the location and nature of all other parcels of land to be dedicated to the public or reserved for common use by the residents of the development.





Subsection 6-3-C-8 of the Utah County Land Use Ordinance is proposed to be amended as follows (additions are in red, underlined font and deletions are in ~~red, crossed-out font~~):

6-3: PLANNED SUBDIVISIONS

C. APPLICATION REQUIREMENTS

8. Plat

The plat shall be reproducible and be drawn in accordance with county standards at a scale of ~~one inch~~ one-inch equals one hundred feet (1"=100') or as directed by the Zoning Administrator, and shall ~~show~~ include the following:

- a. Perimeter boundary of the development, including any road dedication areas, and the location of all required survey monuments.
- b. The location of all lot lines and/or building site areas, and the identifying number for each lot, block, and building site in the development.
- c. The name, location, and extent of all streets and the location and nature of all other parcels of land to be dedicated to the public or reserved for common use by the residents of the development.
- d. The location and identification of all easements and their specific use.
- e. The location and extent of all parcels within the development which are subject to deed restrictions or any other limitations, or which are subject to conditions of approval written on the plat.
- f. Statements of limitations or conditions of approval required to be written on the plat by the County Commission, and other statements or information required by this land use ordinance, or other applicable law.
- g. The following certifications:
  - i. The certificate and seal of survey accuracy by the surveyor or engineer preparing the plat.
  - ii. The owner's dedication of land for public use, and the owner's conveyance of easements and parcels for utilities or other special use.
  - iii. The acknowledgment of the owner's dedication by a Utah Notary Public (or an equivalent officer authorized to acknowledge conveyances of real estate if the owner is out of state).
  - iv. The County Commission's approval of the development and its acceptance of dedication of streets, easements, etc., along with the attesting signature and stamp of the County Clerk/Auditor. The plat shall include the following signature block for these purposes:

ACCEPTANCE BY COUNTY COMMISSION

The County Commission of Utah County approves this subdivision and hereby accepts the dedication of all streets, easements, and other parcels of land intended for public purposes for the perpetual use of the public this

\_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

Attest: \_\_\_\_\_  
Clerk / Auditor

- v. The County Engineer's certification and stamp that the approved plans for the development conform to the Utah County standards and requirements for roads and other improvements. The plat shall include the following signature block for these purposes:

COUNTY ENGINEER CERTIFICATION

The County Engineer of Utah County certifies the plans for this development conform to the Utah County standards and requirements for roads and other improvements.

\_\_\_\_\_, \_\_\_\_\_  
Sign Date

- vi. The culinary water and sanitary sewer authority's approval of the culinary water and sanitary sewer facilities of the development. The plat shall include the following signature blocks for these purposes:

APPROVAL BY THE CULINARY WATER AUTHORITY

The undersigned culinary water authority approves this plat for culinary water purposes, subject to the conditions stated on this plat.

\_\_\_\_\_, \_\_\_\_\_  
Sign Date

APPROVAL BY THE SANITARY SEWER AUTHORITY

The undersigned sanitary sewer authority approves this plat for sanitary sewer purposes, subject to the conditions stated on this plat.

\_\_\_\_\_, \_\_\_\_\_  
Sign Date

- vii. The utility owners' and/or operators' approval of the applicable underground utilities, other utility facilities, easements, rights-of-way, etc., of the development; however, Utah County shall not require the plat to be approved or signed by a person or entity who does not provide a utility or other service directly to the lots within the development, unless provided or required by the Utah Code Annotated 1953, as amended. The plat shall include the following signature block for this purpose:

APPROVAL BY OWNERS AND OPERATORS OF UNDERGROUND UTILITIES AND OTHER UTILITY FACILITIES

The undersigned owners or operators of the underground utilities and other utility facilities located on this plat hereby approve the boundary, course, dimensions, and intended use of the right-of-way and easement grants of record; hereby approve the location of existing underground and utility facilities; and hereby approve the conditions or restrictions governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the development, as shown on this plat.

Utility Provider

Utility Provider

Utility Provider

Utility Provider

✓.viii. Certifications required by State Law and other certifications if required by the County Commission, as permitted by this land use ordinance or other applicable law.

Exception: The County Attorney's Office may approve modifications to the required certifications, as needed, to address the individual circumstances of applications.

Subsection 6-4-C-8 of the Utah County Land Use Ordinance is proposed to be amended as follows (additions are in red, underlined font and deletions are in ~~red, crossed-out font~~):

6-4: MOUNTAIN HOME DEVELOPMENTS

C. APPLICATION REQUIREMENTS

8. Plat

The plat shall be reproducible and shall be drawn in accordance with county standards at a scale of ~~one-inch~~ one-inch equals one hundred feet (1"=100') or as directed by the Zoning Administrator, and shall ~~show~~ include the following:

- a. Perimeter boundary of the development, including any road dedication areas, and the location of all required survey monuments.
- b. The location of all lot lines and/or building site areas, and the identifying number for each lot, block, and building site in the development.
- c. The name, location, and extent of all streets and the location and nature of all other parcels of land to be dedicated to the public or reserved for common use by the residents of the development.
- d. The location and identification of all easements and their specific use.
- e. The location and extent of all parcels within the development which are subject to the restrictions imposed by the open space preservation agreement or any other limitations, or which are subject to conditions of approval which are written on the plat.
- f. Statements of limitations or conditions of approval required to be written on the plat by the County Commission, and other statements or information required by this land use ordinance, or other applicable law.
- g. The following certifications:
  - i. The certificate and seal of survey accuracy by the surveyor or engineer preparing the plat.
  - ii. The owner's dedication of land for public use, the owner's conveyance of easements and parcels for utilities or for common use by the residents of the development, and the owner's acceptance of the limitations or conditions of approval.
  - iii. The acknowledgment of the owner's dedication by a Utah Notary Public (or an equivalent officer authorized to acknowledge conveyances of real estate if the owner is out of state).
  - iv. The County Commission's approval of the development and its acceptance of dedication of streets, easements, etc., along with the attesting signature

and stamp of the County Clerk/Auditor. The plat shall include the following signature block for these purposes:

ACCEPTANCE BY COUNTY COMMISSION

The County Commission of Utah County approves this mountain home development and hereby accepts the dedication of all streets, easements, and other parcels of land intended for public purposes for the perpetual use of the public this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

Attest: \_\_\_\_\_  
Clerk / Auditor

- v. The County Engineer's certification and stamp that the approved plans for the development conform to the Utah County standards and requirements for roads and other improvements. The plat shall include the following signature block for these purposes:

COUNTY ENGINEER CERTIFICATION

The County Engineer of Utah County certifies the plans for this development conform to the Utah County standards and requirements for roads and other improvements.

\_\_\_\_\_  
Sign

\_\_\_\_\_  
Date

- vi. The culinary water and sanitary sewer authority's approval of the culinary water and sanitary sewer facilities of the development. The plat shall include the following signature blocks for these purposes:

APPROVAL BY THE CULINARY WATER AUTHORITY

The undersigned culinary water authority approves this plat for culinary water purposes, subject to the conditions stated on this plat.

\_\_\_\_\_  
Sign

\_\_\_\_\_  
Date

APPROVAL BY THE SANITARY SEWER AUTHORITY

The undersigned sanitary sewer authority approves this plat for sanitary sewer purposes, subject to the conditions stated on this plat.

\_\_\_\_\_  
Sign

\_\_\_\_\_  
Date

- vii. The utility owners' and/or operators' approval of the applicable underground utilities, other utility facilities, easements, rights-of-way, etc., of the

development; however, Utah County shall not require the plat to be approved or signed by a person or entity who does not provide a utility or other service directly to the lots within the development, unless provided or required by the Utah Code Annotated 1953, as amended. The plat shall include the following signature block for this purpose:

APPROVAL BY OWNERS AND OPERATORS OF UNDERGROUND UTILITIES AND OTHER UTILITY FACILITIES

The undersigned owners or operators of the underground utilities and other utility facilities located on this plat hereby approve the boundary, course, dimensions, and intended use of the right-of-way and easement grants of record; hereby approve the location of existing underground and utility facilities; and hereby approve the conditions or restrictions governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the development, as shown on this plat.

\_\_\_\_\_  
Utility Provider

\_\_\_\_\_  
Utility Provider

\_\_\_\_\_  
Utility Provider

\_\_\_\_\_  
Utility Provider

v. viii. Certifications required by State Law and other certifications if required by the County Commission, as permitted by this land use ordinance or other applicable law.

Exception: The County Attorney's Office may approve modifications to the required certifications, as needed, to address the individual circumstances of applications.

Subsection 6-5-C-8 of the Utah County Land Use Ordinance is proposed to be amended as follows (additions are in red, underlined font and deletions are in ~~red, crossed-out font~~):

6-5: RECREATIONAL RESORTS

C. APPLICATION REQUIREMENTS

8. Plat

The plat shall be reproducible and shall be drawn in accordance with county standards at a scale of ~~one inch~~ one-inch equals one hundred feet (1"=100') or as directed by the Zoning Administrator, and shall ~~show~~ include the following:

- a. Perimeter boundary of the development, including any road dedication areas, and the location of all required survey monuments.
- b. The location of all lot lines and setback lines, and/or building site areas, and the identifying number for each lot, block, and building site in the development.
- c. The name, location, and extent of all streets and the location and nature of all other parcels of land to be dedicated to the public or reserved for common use by the residents of the development.
- d. The location and identification of all easements and their specific use.

- e. The location and extent of all parcels within the development which are subject to the restrictions imposed by the open space preservation agreement or any other limitations, or which are subject to conditions of approval which are written on the plat.
- f. Statements of limitations or conditions of approval required to be written on the plat by the County Commission, and other statements or information required by this land use ordinance, or other applicable law.
- g. The following certifications:
  - i. The certificate and seal of survey accuracy by the surveyor or engineer preparing the plat.
  - ii. The owner's dedication of land for public use, the owner's conveyance of easements and parcels for utilities or for common use by the residents of the development, and the owner's acceptance of the limitations or conditions of approval.
  - iii. The acknowledgment of the owner's dedication by a Utah Notary Public (or an equivalent officer authorized to acknowledge conveyances of real estate if the owner is out of state).
  - iv. The County Commission's approval of the development and its acceptance of dedication of streets, easements, etc., along with the attesting signature and stamp of the County Clerk/Auditor. The plat shall include the following signature block for these purposes:

ACCEPTANCE BY COUNTY COMMISSION

The County Commission of Utah County approves this recreational resort and hereby accepts the dedication of all streets, easements, and other parcels of land intended for public purposes for the perpetual use of the public this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_.

|                     |                        |
|---------------------|------------------------|
| _____               | _____                  |
| <u>Commissioner</u> | <u>Commissioner</u>    |
| _____               | Attest: _____          |
| <u>Commissioner</u> | <u>Clerk / Auditor</u> |

- v. The County Engineer's certification and stamp that the approved plans for the development conform to the Utah County standards and requirements for roads and other improvements. The plat shall include the following signature block for these purposes:

COUNTY ENGINEER CERTIFICATION

The County Engineer of Utah County certifies the plans for this development conform to the Utah County standards and requirements for roads and other improvements.

|             |             |
|-------------|-------------|
| _____       | _____       |
| <u>Sign</u> | <u>Date</u> |

vi. The culinary water and sanitary sewer authority's approval of the culinary water and sanitary sewer facilities of the development. The plat shall include the following signature blocks for these purposes:

APPROVAL BY THE CULINARY WATER AUTHORITY

The undersigned culinary water authority approves this plat for culinary water purposes, subject to the conditions stated on this plat.

\_\_\_\_\_  
Sign \_\_\_\_\_ Date

APPROVAL BY THE SANITARY SEWER AUTHORITY

The undersigned sanitary sewer authority approves this plat for sanitary sewer purposes, subject to the conditions stated on this plat.

\_\_\_\_\_  
Sign \_\_\_\_\_ Date

vii. The utility owners' and/or operators' approval of the applicable underground utilities, other utility facilities, easements, rights-of-way, etc., of the development; however, Utah County shall not require the plat to be approved or signed by a person or entity who does not provide a utility or other service directly to the lots within the development, unless provided or required by the Utah Code Annotated 1953, as amended. The plat shall include the following signature block for this purpose:

APPROVAL BY OWNERS AND OPERATORS OF UNDERGROUND UTILITIES AND OTHER UTILITY FACILITIES

The undersigned owners or operators of the underground utilities and other utility facilities located on this plat hereby approve the boundary, course, dimensions, and intended use of the right-of-way and easement grants of record; hereby approve the location of existing underground and utility facilities; and hereby approve the conditions or restrictions governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the development, as shown on this plat.

\_\_\_\_\_  
Utility Provider \_\_\_\_\_ Utility Provider

\_\_\_\_\_  
Utility Provider \_\_\_\_\_ Utility Provider

viii. Certifications required by State Law and other certifications if required by the County Commission, as permitted by this land use ordinance or other applicable law.

Exception: The County Attorney's Office may approve modifications to the required certifications, as needed, to address the individual circumstances of applications.

Subsection 6-6-C-7 of the Utah County Land Use Ordinance is proposed to be amended as follows (additions are in red, underlined font and deletions are in ~~red, crossed-out font~~):

6-6: PLANNED NONRESIDENTIAL SUBDIVISION

C. APPLICATION REQUIREMENTS

7. Plat

The plat shall be reproducible and be drawn in accordance with county standards at a scale of ~~one inch~~ one-inch equals one hundred feet (1"=100') or as directed by the Zoning Administrator, and shall ~~show~~ include the following:

- a. Perimeter boundary of the development, including any road dedication areas, and the location of all required survey monuments.
- b. The location of all lot lines and/or building site areas, and the identifying number for each lot, block, and building site in the development.
- c. The name, location, and extent of all streets and the location and nature of all other parcels of land to be dedicated to the public, if applicable.
- d. The location and identification of all easements and their specific use.
- e. The location and extent of all parcels within the development which are subject to deed restrictions or any other limitations, or which are subject to conditions of approval written on the plat.
- f. Statements of limitations or conditions of approval required to be written on the plat by the County Commission, and other statements or information required by this land use ordinance, or other applicable law.
- g. The following certifications:
  - i. The certificate and seal of survey accuracy by the surveyor or engineer preparing the plat.
  - ii. The owner's dedication of land for public use, and the owner's conveyance of easements and parcels for utilities or other special use, and the owner's acceptance of the limitations or conditions of approval.
  - iii. The acknowledgment of the owner's dedication by a Utah Notary Public (or an equivalent officer authorized to acknowledge conveyances of real estate if the owner is out of state).
  - iv. The County Commission's approval of the development and its acceptance of dedication of streets, easements, etc., along with the attesting signature and stamp of the County Clerk/Auditor. The plat shall include the following signature block for these purposes:

ACCEPTANCE BY COUNTY COMMISSION

The County Commission of Utah County approves this subdivision and hereby accepts the dedication of all streets, easements, and other parcels of land intended for public purposes for the perpetual use of the public this  
\_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

Attest:

\_\_\_\_\_  
Clerk / Auditor



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Utility Provider

Utility Provider

---

Utility Provider

Utility Provider

∗viii. Certifications required by State Law and other certifications if required by the County Commission, as permitted by this land use ordinance or other applicable law.

Exception: The County Attorney's Office may approve modifications to the required certifications, as needed, to address the individual circumstances of applications.

#### Applicable Ordinances and Statutes

1. **Subsection 1-2** of the Utah County Land Use Ordinance identifies the intent and purposes of the Ordinance.
2. **Section 6-1** of the Utah County Land Use Ordinance establishes general provisions for Large Scale Developments.
3. **Section 6-2** of the Utah County Land Use Ordinance establishes requirements, conditions, and standards for planned unit developments.
4. **Section 6-3** of the Utah County Land Use Ordinance establishes requirements, conditions, and standards for planned subdivisions.
5. **Section 6-4** of the Utah County Land Use Ordinance establishes requirements, conditions, and standards for mountain home developments.
6. **Section 6-5** of the Utah County Land Use Ordinance establishes requirements, conditions, and standards for recreational resorts.
7. **Section 6-6** of the Utah County Land Use Ordinance establishes requirements, conditions, and standards for planned nonresidential subdivisions.
8. **Subsection 7-23-C and Section 7-25** of the Utah County Land Use Ordinance establish the criteria for Planning Commission recommendation of approval to the County Commission for any land use ordinance or zone map amendment.

#### **IV. STAFF FINDINGS:**

1. The application for an amendment to the Ordinance must meet the requirements of Section 7-23-C-1 of the Ordinance, which requires the amendment to conform to the Land Use Element and other provisions of the General Plan. Staff finds as follows:

- This proposal does not appear to be out of harmony with the Land Use Element of the General Plan or the General Plan in general.
2. The application must meet the requirements of Section 7-23-C-2, which requires the amendment to be in the best interest of the health, safety, and welfare of the public.
    - This proposal appears to help provide plat users a clear and easy way to view applicable approvals and findings of conformance relative to a development. Many of the signatures are typically obtained by staff.
  3. The application must meet the requirements of Section 7-23-C-3, which requires the amendment to more fully carry out the general purposes and intent of the Ordinance, including:
    - Subsection 1-2-A of the Utah County Land Use Ordinance establishes the following as an intent of the Utah County Land Use Ordinance: “*To encourage and facilitate orderly growth and development in the county.*”

This proposal appears to facilitate more orderly development in the County.

- Subsection 1-2-E of the Utah County Land Use Ordinance establishes the following as an intent of the Utah County Land Use Ordinance: “*To facilitate adequate provisions for transportation, water, sewage, schools, parks, and other public requirements.*”

This proposal would help to demonstrate that adequate provisions and approvals relative to the development process have been considered and obtained.

## V. STAFF RECOMMENDATION

That the Utah County Planning Commission recommend to the Utah County Commission approval of the proposed amendments to Chapter 6 of the Utah County Land Use Ordinance, related to requirements for development plats, based on the following findings:

1. That the proposed amendment to the Utah County Land Use Ordinance does not appear to be out of harmony with the Land Use Element and other provisions of the General Plan.
2. The proposed amendment to the Utah County Land Use Ordinance appears to be in the best interest of the health, safety, and welfare of the public.
3. The proposed amendment to the Utah County Land Use Ordinance appears to more fully carry out the general purposes and intent of the Utah County Land Use Ordinance.

## UTAH COUNTY LAND USE ORDINANCE

### 1-2: INTENT AND PURPOSE

It is the intent and purpose of the Board of County Commissioners of the County of Utah, State of Utah, to avail itself of the powers granted under Title 17, Chapter 27a, of the Utah Code Annotated 1953, as amended, in a manner that will promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of Utah County, and to this end:

- A. To encourage and facilitate orderly growth and development in the county.
- B. To secure economy in governmental expenditures in the process of development.
- C. To promote efficient and economical utilization, conservation, and production of land, water, and other resources and facilities.
- D. To foster the county's agricultural and other industries.
- E. To facilitate adequate provisions for transportation, water, sewage, schools, parks, and other public requirements.
- F. To reduce the waste of physical, financial, and human resources resulting from excessive scattering of population.
- G. To lessen congestion in the streets, prevent the overcrowding of land, and provide adequate light and air.
- H. To lessen the hazards to persons and property from fires, floods, traffic hazards, and other dangers.
- I. To promote a more attractive and wholesome environment.
- J. To create conditions favorable to prosperity, civic activities, and recreational, educational, and cultural opportunities.
- K. To protect both urban and non-urban development.
- L. To enforce the provisions of this ordinance and to minimize the exceptions or variances hereto.

### 7-23: POWERS AND DUTIES OF THE PLANNING COMMISSION

- C. The Planning Commission may propose a land use ordinance and zone map for Utah County or may propose amendments of an existing land use ordinance or zone map to the County Commission, and may adopt procedures for the proposals to be initiated by its members, its staff, or members of the public at large. The Planning Commission shall also consider and give its recommendations on any amendment to the land use ordinance which is proposed by the County Commission and submitted to the Planning Commission for recommendation. Before the Planning Commission proposes any land use ordinance or zone map amendment, or makes a favorable recommendation of an amendment, it shall find that:

1. The amendment will conform to the land use element and other provisions of the general plan (or conform to a proposed amendment to the general plan which is considered concurrently with the zoning amendment).
2. The amendment is in the best interest of the health, safety, and welfare of the public.
3. The amendment will more fully carry out the general purposes and intent of this ordinance.
4. In considering a proposed amendment to the land use ordinance or zone map, the Planning Commission may submit a recommendation to the County Commission for or against the proposal, or it may recommend an alternate amendment.

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.

**UTAH COUNTY COMMUNITY DEVELOPMENT**  
**APPLICATION TO AMEND THE LAND USE ORDINANCE**

(All application fees are non-refundable)

|  |   |
|--|---|
| Check the approval(s) needed:<br><br><input type="checkbox"/> Planning Commission<br><input checked="" type="checkbox"/> County Commission | Application taken by: <u>Brandon Larsen</u><br>Date <u>7/17/2018</u><br>Fee Paid <u>N/A</u> Receipt # _____ |
|--|---|

All Land Use Ordinance amendments are subject to a recommendation by the Planning Commission and final approval by the County Commission.

In preparation of any Land Use Ordinance amendment, consideration will be given to the Utah County General Plan, the intent stated within the Land Use Ordinance, and encouragement of the most appropriate use of land throughout the county. No application should be approved when it is determined that the proposed amendment does not promote the health, safety, morals, convenience, or general welfare of the public.

**Applicant's Name:** Utah County Planning Commission **Date:** 7/17/2018

**Mailing Address:** 51 S University Ave., Ste., 117 **City:** Provo **State:** Utah **Zip:** 84601

**Primary phone:** 801-851-8343 **Email (Required)†:** brandonl@utahcounty.gov

**Secondary phone:** 801-851-8351 **Fax:** \_\_\_\_\_

**†UNLESS REQUESTED OTHERWISE, APPLICANT AGREES TO RECEIVE  
INFORMATION/NOTICES RELATIVE TO THIS APPLICATION VIA EMAIL**

**Refund Information:** If this application fee, or any portion of the application fee is to be refunded, please indicate Name and Mailing Address where refund may be sent.

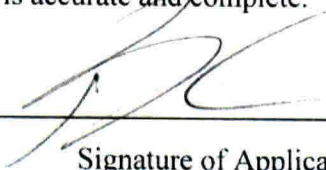
**Name:** N/A

**Mailing Address:** \_\_\_\_\_ **City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip** \_\_\_\_\_

(Attach additional sheets or documents to the application)

1. **Section(s) of the Land Use Ordinance to be amended:** Chapter 6
  
2. **Describe in detail the proposed Land Use Ordinance amendment:** There are two parts to this proposal:
  - A. There are multiple signature blocks that have historically been required (for entities or individuals such as utility providers, culinary water authority, and the sanitary sewer authority) on plats in unincorporated Utah County; however, there is no requirement for these signature blocks in the Land Use Ordinance. Further, the County has required the signature and stamp of the Clerk/Auditor and the County Engineer on plats. There is no requirement for such, except for the signature of the Clerk Auditor. This proposal proposes to correct this issue by requiring the applicable signatures, certifications, stamps, etc., of certain County officials and utility providers, including the sanitary sewer and culinary water authority.
  
3. **How will the proposed Land Use Ordinance amendment avoid causing additional adverse conditions?** The work of gathering signatures is largely done by staff and is usually a formality. According to this proposal, signatures from utility providers would be required; however, the proposal includes a provision that the County cannot require a plat to be approved or signed by an entity or individual that doesn't provide a utility or other service, unless provided for, or required by, the Utah Code Annotated 1953, as amended. The work of gathering utility provider or other service provider signatures would be the work of the applicant.
  
4. **In what ways does the proposed Land Use Ordinance amendment promote the health, safety, morals, convenience, or general welfare of the public?** Requiring signatures, certifications, etc., from applicable approval bodies, review agencies, utility and other service providers, for development plats helps to ensure that a plat has been thoroughly reviewed and considered prior to recordation. Thorough plat application reviews help to facilitate well-considered development.

To the best of my knowledge the above information is accurate and complete.



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Signature of Applicant

**UTAH COUNTY PLANNING COMMISSION**

**Minutes  
August 21, 2018**

Present: Thomas Liddle, Chair  
Vern Keeslar  
Karen McCandless  
Robert McMullin  
Blaine Thatcher  
Judi Pickell  
Jennifer Baptista

Excused: (none)

Bryce Armstrong, Associate Director, Community Development  
Robert Moore, Deputy County Attorney  
Joshua Ivie, Secretary

OTHERS PRESENT: Peggy Kelsey, Brandon Larsen, Greg Robinson, Utah County Community Development; Glen Tanner, Utah County Public Works; Aaron Jensen, Derick Wolsleger, M Jay Thomas, Chris Warden, Glen Roberts, Dale Johnson, Cindy Johnson, D Jameson J Oveson, Mike Ford, Rich Giraud, Aaron Robertson, Ryan (Illegible), Korey Frade, Josh Binks.

The meeting was called to order at 5:30 PM by Thomas Liddle, Chair of the Utah County Planning Commission at 100 E Center St, Room 1400, of the Utah County Administration Building, located in Provo, Utah. Karen McCandless led the assembled body in the Pledge of Allegiance.

**LAND USE ORDINANCE TEXT AMENDMENT**

**Utah Co Planning Commission - Proposed Utah County Land Use Ordinance text amendments to Chapter 6, relative to requirements for development plats [Public Hearing]**

Brandon Larsen introduced the application, and suggested that it was a "clean-up" item. Larsen explained that there are a number of signature blocks associated with development plats, and its come to Staff's understanding that there may not be a concrete requirement for some of those signature blocks. Larsen then briefly explained what signatures had been required and gathered, and explained that the proposal specifically identifies what signatures need to be included on the plat.

Robert McMullin asked about the inclusion of permission by the irrigation company and if this is included in the proposal. Larsen explained that Staff receives a letter from the canal company but that the addition of a signature from the canal company would be a new requirement. Larsen suggested that there may not be a specific requirement for them to sign the plat. McMullin suggested that there are times when developers don't consider the canal companies and suggested that Staff look into this. Larsen noted that Staff does

require that the canal company provides a statement of approval, and McMullin indicated that he was comfortable with this.

Motion: Vern Keeslar

Second: Jennifer Baptista

Motion to **open** the public hearing portion of the meeting.

The motion passed by the following vote: "Aye", Thomas Liddle, Karen McCandless, Vern Keeslar, Blaine Thatcher, Robert McMullin, Judi Pickell, Jennifer Baptista; "Nay", none.

Thomas Liddle asked if there were any members of the public that wished to speak on this matter. There were none.

Motion: Karen McCandless

Second: Judi Pickell

Motion that the Utah County Planning Commission recommend, with Staff Findings located in the Staff Report, to the Utah County Commission **approval** of the proposed amendments to Chapter 6 of the Utah County Land Use Ordinance, related to requirements for development plats, based on the following findings:

1. That the proposed amendment to the Utah County Land Use Ordinance does not appear to be out of harmony with the Land Use Element and other provisions of the General Plan.
2. The proposed amendment to the Utah County Land Use Ordinance appears to be in the best interest of the health, safety, and welfare of the public.
3. The proposed amendment to the Utah County Land Use Ordinance appears to more fully carry out the general purposes and intent of the Utah County Land Use Ordinance.

The motion passed by the following vote: "Aye", Thomas Liddle, Karen McCandless, Vern Keeslar, Blaine Thatcher, Robert McMullin, Judi Pickell, Jennifer Baptista; "Nay", none.