



ORDINANCE NO. 2019- 18

AN ORDINANCE AMENDING CHAPTER 3 OF THE UTAH COUNTY LAND USE ORDINANCE, RELATIVE TO THE REQUIREMENTS FOR HUNTING PRESERVES AND SHOOTING RANGES

WHEREAS, the Planning Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with amending Chapter 3, relative to the requirements for hunting preserves and shooting ranges; and

WHEREAS, the Planning Commission addressed the proposed amendments to the Utah County Land Use Ordinance during a regularly scheduled meeting of the Planning Commission, on April 16, 2019, 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 a regularly scheduled meeting of the Planning Commission, on April 16, 2019; 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 April 16, 2019 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:

Section 3-53 of the Utah County Land Use Ordinance is hereby amended to read as follows:

3-53: HUNTING PRESERVES AND SHOOTING RANGES

A. SCOPE

Upon receipt of a complete application, the Zoning Administrator shall approve a hunting preserve and/or shooting range, along with any incidental accessory structures, facilities, and

uses, in a zone in which such uses are listed as a permitted use, provided that all of the following conditions and requirements are met.

B. PERMITTED USES AND FACILITIES

Only the following shall be permitted in association with and only incidental to a hunting preserve and/or shooting range permitted pursuant to this section:

1. The selling of groceries, sporting goods, merchandise, firearms, and ammunition.
2. The renting of sporting goods and firearms.
3. On site food preparation, food preparation facilities, and pre-cooked food and beverage facilities.
4. Lighting for the following: clay shooting fields, shotgun ranges, pistol ranges, and rifle ranges.
5. The keeping and care of dogs, incidental to a hunting preserve or hunting preserve with shooting range, only.
6. Dog obedience and hunting training, as well as the boarding of dogs enrolled in obedience and hunting training.
7. Social, family, religious, or business functions, meetings, or gatherings of patrons, guests, staff, or operators of the facilities and the applicable event facilities.
8. Children and youth camps and activities.
9. OHV (Off-Highway Vehicle) travel and activities for the use of patrons, guests, staff, or operators of the facilities.
10. Educational and training activities and facilities.
11. Administrative offices.
12. Camping and picnic facilities, including recreational vehicle pads, tent sites, and ancillary facilities.
13. Fences, walls, utilities, storage areas, restrooms, solid waste collection areas, sewage treatment facilities for treatment of sewage generated exclusively from the facilities, ponds, landscape features, and similar uses and structures.
14. Membrane structures, including yurts.
15. The maintenance, clean-up, and site-grading of hunting preserves and shooting ranges, including the removal of spent ammunition.
16. Similar uses, as those above, for the use of patrons, guests, staff, or operators of the facilities.

C. SITE PLAN

The owner of land in a qualifying zone shall submit a site plan (layout map), to the Zoning Administrator, of the hunting preserve and/or shooting range. The site plan shall show the boundaries of the project, parcels included in the project, existing and proposed buildings, structures, facilities, activities areas, site features, parking spaces, restrooms, recreational vehicle pads, tent sites, buffer areas, setbacks, roads, and any other information the Zoning Administrator deems necessary to graphically and accurately describe the hunting preserve and/or shooting range, and ancillary activities and uses, and to determine compliance with this section and other applicable sections of this ordinance. The site plan shall be consistent with the applicable requirements and standards of this ordinance.

D. STANDARDS

1. The design of a hunting preserve and/or shooting range, including parking, access roads, and interior road system, water system, sewage disposal system, trash collection, fire protection, food preparation, and any other ancillary facility, shall meet the requirements

- of the adopted codes of Utah County and of this ordinance.
2. The primary roads of the interior road system for a hunting preserve and/or shooting range shall be graveled roads (paved roads are acceptable), as defined in this ordinance. Secondary, two-track roads are not required to be graveled roads. The interior road system shall be clearly laid-out on the required site plan. Primary and secondary roads shall be definitively identified on the site plan.
 3. The hunting and competitive shooting facilities shall have vehicular access from an official state or county class "B" road.
 4. The minimum acreage required for a hunting preserve is 160 acres.
 5. Structures shall meet all adopted building, fire, and health codes.
 6. The applicant shall submit a plan of operations for the hunting preserve and/or shooting range, including all ancillary uses and activities. Such plan shall include a safety plan that addresses the safety and security of patrons, guests, staff, and persons on adjacent or others parcels of land that could be impacted by the activities conducted on the hunting preserve or shooting range.
 7. Only those activities permitted under the provisions of this section shall occur on the subject property.
 8. The applicant for a hunting preserve or shooting range shall provide documentation to demonstrate that such facility has been designed, and shall be operated, to contain, on-site, all projectiles and debris caused by firing ammunition.
 9. Any portion of the land included in a hunting preserve, which lies in the right-of-way of a county class "B" road, as per the officially adopted Utah County road cross section standards, which road is shown on the "Official Utah County Road Map," shall be dedicated to Utah County, unless the County Commission, after receiving the written opinion of the County Engineer on the benefit of the dedication, declines receiving some or all of the dedication.
 10. Food services, as well as groceries, sporting goods, merchandise, guns, and ammunition, shall only be provided or sold to patrons, guests, staff, or operators of the facilities. Individual meals and other prepared foods, as well as groceries, sporting goods, merchandise, guns, and ammunition, shall not be provided or sold to an individual who is not a patron, guest, staff, or operator of the facilities.
 11. The applicable approvals for food preparation and services shall be obtained from the County Health Department.
 12. The care and keeping of dogs, incidentally to a hunting preserve or hunting preserve/shooting range shall be limited to the boarding, breeding, grooming, training, and letting for hire—on the hunting preserve, only—of no more than twenty-five (25) dogs—over six (6) months old, all of which are for the exclusive use on and for the hunting preserve—per 160 acres of land included in the hunting preserve and/or hunting preserve/shooting range. However, obedience and hunting training for dogs, which are not for exclusive use on the hunting preserve, shall also be permitted, as well as the boarding of such dogs, only while they are enrolled in an obedience or hunting training course provided at the hunting preserve. The total number of dogs boarding on a hunting preserve, at any given time, shall not exceed twenty-five (25) per 160 acres of land included in the hunting preserve and/or hunting preserve/shooting range.
 13. The following standards shall apply in relation to event facilities:
 - a. In addition to the off-street parking spaces for a hunting preserve and/or shooting

range, parking for event facilities shall be provide at a minimum rate of one off-street parking space per forty (40) square feet of event assembly area.

- b. The event facilities shall have vehicular access from an official state or county class "B" road; however, access for such facilities may be obtained from a central parking lot that has direct access to an official state or county class "B" road.
 - c. Structures shall meet all adopted building, fire, and health codes.
 - d. On-site food preparation and food preparation facilities shall be approved by the County Health Department.
 - e. Prepared food shall only be provided to patrons, guests, staff, or operators of the facilities.
 - f. The plan of operations for the hunting preserve and/or shooting range shall also address the operation of event facilities, including a safety plan for patron, guests, and staff.
14. The following standards shall apply in relation to camping and picnic facilities:
- a. Only patrons, guests, staff, and operators of the hunting preserve and/or shooting range shall be allowed to utilize camping and picnic facilities.
 - b. Camping stays shall not extend beyond four (4) consecutive days; however, an individual shall not utilize the camping facilities for more than thirty (30) days in a calendar year.
 - c. Camping and picnic facilities shall have vehicular access from an official state or county class "B" road; however, access for such facilities may be obtained from a central parking lot that has direct access to an official state or county class "B" road.
 - d. A roadway providing access to recreation vehicle pads and campsites shall be a graveled road (a paved road is also acceptable), as defined in this ordinance, and shall have a width of at least ten (10) feet for one-way roads and twenty (20) feet for two-way roads. All such one- or two-way roads shall have, at a minimum, two (2) feet of unobstructed shoulder on each side of the surface. Such roadways shall not exceed a grade of eight percent (8%).
 - e. A roadway system shall provide convenient circulation through the camping and picnic area and shall provide access to each recreation vehicle pad, campsite, and picnic site. No recreation vehicle pad, campsite, or picnic site will be permitted direct access to a public road except by means of the camping and picnic area roadway system.
 - f. Each recreation vehicle pad shall have a gravel surface (pavement is acceptable), ten (10) feet or more in width, forty (40) feet or more in length, and have adjacent thereto a standard, gravel surface (pavement is acceptable) automobile parking space.
 - g. All recreation vehicle, camping, and picnic facilities shall be set back at least thirty (30) feet from any public street.
 - h. The camping and picnic facilities shall be served by sewage facilities that have been reviewed and approved by the County Health Department. Such facilities shall include a recreational vehicle waste-water and sewage disposal station.
 - i. Each recreation vehicle pad, campsite, and picnic site shall have water and electrical service. Approval from the County Health Department shall be obtained for the water service.
 - j. Hydrants and other fire protection facilities, as well as the road circulation design of the camping and picnic area, shall meet the adopted fire codes administered by the

County Fire Marshal.

- 15. An applicant of a permit for a hunting preserve and/or shooting range, which lies adjacent to a military installation, public park, school, church, high occupancy building designed to accommodate 50 or more people, or emergency facilities, shall submit proof of notice of application to the owners or operators of such facilities or installations.
 - 16. The noise requirements of the Utah County Code shall be met.
 - 17. All other applicable county, state and federal requirements shall be met.
- E. ZONING COMPLIANCE PERMIT

After construction, but prior to occupancy of the hunting preserve and/or shooting range, as well as any ancillary building, structure, or other facilities, the owner shall qualify for and obtain a zoning compliance permit from the Zoning Administrator and a Utah County Business License.

Part II:

A copy of the Utah County Land Use Ordinance, as amended herein, is hereby ordered to be filed in the office of the Utah County Clerk/Auditor.

Part III:

If any of the sections, sentences, clauses or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

Part IV:

This ordinance shall become effective fifteen (15) days after it is passed and upon at least one (1) publication in a newspaper published in and having general circulation in Utah County.

PASSED and ordered published this 30th day of April 2019.

UTAH COUNTY COMMISSION

VOTE



 WILLIAM C. LEE, CHAIR

Aye



 TANNER AINGE, VICE-CHAIR

Aye




 NATHAN IVIE, COMMISSIONER

Aye

ATTEST:
AMELIA A. POWERS
County Clerk/Auditor

By: _____
Deputy




The seal is circular with a double-line border. The outer ring contains the text "STATE OF UTAH" at the top and "UTAH COUNTY" at the bottom. Inside the ring, there is a five-pointed star. Below the star, the words "CLERK" and "AUDITOR" are written in two lines.

**APPROVED AS TO FORM
AND LEGALITY:**
DAVID O. LEAVITT
County Attorney

Approved
 Disapproved

By: _____
Deputy



Date of Publication: Once only, as soon as possible