

ORDINANCE NO. 2020-_____

AN ORDINANCE AMENDING CHAPTER 3, PART 1, OF THE UTAH COUNTY LAND USE ORDINANCE RELATED TO PROVIDING CLARITY AND CONSISTENCY TO VARIOUS LAND USE REGULATIONS

WHEREAS, the Utah County Commission initiated a review of Chapter 3, Part 1 of the Utah County Land Use Ordinance (UCLUO) related to providing clarity and consistency to various land use regulation; and

WHEREAS, the Utah County Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance during the regularly scheduled meeting of the Planning Commission on February 18, 2020, held a public hearing regarding the proposed amendment, and made a recommendation to the Board of County Commissioners regarding the proposed amendment; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the recommendation from the Planning Commission regarding the proposed amendment, and the minutes of the Planning Commission meeting and the public hearing regarding the proposed amendment to the Utah County Land Use Ordinance; and

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

WHEREAS, the Board of County Commissioners finds the proposed amendment to the Utah County Land Use Ordinance conforms to the Utah County General Plan, and is consistent with the other provisions of the Utah County Land Use Ordinance; and

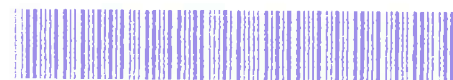
WHEREAS, the Board of County Commissioners finds that the proposed amendment to the Utah County Land Use Ordinance is in the best interest of the health, safety, and welfare of the citizens of Utah County, considering all factors.

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS:

Part I:

Chapter 3, Part 1 of the Utah County Land Use Ordinance is hereby amended, including the re-numbering of applicable subsections, to read as follows:

See Attachment "A"



ENT 6354602020 PG 1 of 14
JEFFERY SMITH
UTAH COUNTY RECORDER
2020 May 12 10:24 am FEE 0.00 BY RA
RECORDED FOR UTAH COUNTY COMMISSIONERS

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 29th day of April 2020.

UTAH COUNTY COMMISSION

VOTE

DocuSigned by:
Tanner Ainge
TANNER AINGE, CHAIR

Y

DocuSigned by:
Nathan Ivie
NATHAN IVIE, VICE-CHAIR

Y

DocuSigned by:
William C. Lee
WILLIAM C. LEE, COMMISSIONER

Y

ATTEST:
AMELIA A. POWERS
Utah County Clerk/Auditor

APPROVED AS TO FORM:
DAVID O. LEAVITT
Utah County Attorney

By: Alicia Black
Deputy

X
____ Approved

____ Disapproved

By: Robert J Moore

Deputy



Date of Publication: Once only, as soon as possible

ATTACHMENT "A"**CHAPTER 3****SUPPLEMENTARY REQUIREMENTS AND
PROCEDURES APPLICABLE WITHIN ZONES****Part 1. General****3-1: INTENT**

The intent of this chapter is to accumulate, under one heading, regulations which apply to land uses which may be allowed in one or more zones, rather than to repeat the regulations several times. Generally, it is not the intent of this section to specify uses allowed within a zone but to set forth supplementary and qualifying conditions which must be complied with in connection with uses which may be allowed in the zone.

3-2: YARDS TO BE UNOBSTRUCTED, EXCEPTIONS

Every part of a required yard shall be open to the sky and unobstructed by structures from the ground upward for the entire breadth of the required setback distance, except for

- A. Fences;
- B. Swimming pools, including water heating and filtration equipment;
- C. Open decks and patios that do not require guardrails;
- D. A footbridge or a vehicle bridge with vehicle guardrails that meet the minimum requirements of adopted codes and ordinances with no overhead structure;
- E. Pump houses not greater than 120 square feet in area nor more than nine (9) feet in height that do not encroach into the designated road right-of-way as measured from the road centerline and will not create a sight barrier to the driveway access;
- F. Stand-by power generators and air conditioning and/or heating equipment appurtenant to an on-site dwelling provided such equipment is no more than four (4) feet in height;
- G. Un-walled roof extensions, provided: no roof may extend more than two (2) feet into the required yard area;
- H. Canopies over gasoline pumps in the NC-1 and HS-1 Zones, which may extend up to ten (10) feet into the required setback or separation distance.
- I. Free-standing solar energy systems appurtenant to an on-site dwelling provided the equipment associated with such systems is not located within the required front setback, is no more than twelve(12) feet in height (measured at its maximum design tilt), and has a total solar panel surface area of the system no greater than 1,000 square feet. However, a free-standing solar energy system appurtenant to an on-site dwelling located in the Critical Environment (CE-1) Zone that shares a common side or rear property line, or portion of property line, with a property owned by a governmental entity may have a free-standing solar energy system located in that common required side or rear setback without limitation to total solar panel surface area provided the governmental entity has provided written consent to the size and location of the proposed system prior to the issuing of any applicable permit required for the system.
- J. Liquid petroleum gas (LPG) tanks appurtenant to a permitted, on-site structure which meets all adopted fire code requirements.

- 3-3: **STORAGE OF JUNK, DEBRIS AND OBSOLETE VEHICLES IN YARDS PROHIBITED**
 No structure, accessory structure, yard, field, or open space shall be used for the placement or storage of junk, debris, or obsolete vehicles, except for:
- A. As part of a properly approved automobile wrecking yard or salvage yard in the I-1 Industrial Zone subject to meeting the applicable provisions of this land use ordinance.
 - B. No more than four(4) obsolete vehicles which are stored on a lot or parcel within a totally enclosed residential accessory structure, provided the storage of said vehicles is for personal use or as a not-for-profit hobby of the resident of the dwelling on the lot or parcel, is carried out solely by the resident(s) of the dwelling, and all such vehicles are owned by the resident(s).
 - C. The storage of vehicles which are part of an approved agricultural equipment and agricultural vehicle repair facility subject to meeting the applicable provisions of this land use ordinance.
- 3-4: **RENDERING PLANTS**
 Provisions of the land use ordinance that permit the care and keeping of livestock, fowl, or fur bearing animals; fabrication and portion control of domestic livestock and poultry; the sorting of meat of domestic livestock and poultry; the pelting of fur bearing animals; processing, packaging, freezing, thawing, canning or storage of farm products; recycling of useful materials; or other permitted or permitted conditional uses of land not specifically containing the words 'rendering plant' shall not be deemed to permit the rendering, storage or processing of livestock or animal by-products, or the storage or processing of animal waste materials.
Exclusion: This section shall not prevent any customary farm practices of removing or disposing of manure from a barn or pen used for raising livestock, fowl, or fur bearing animals.
- 3-5: **YARD SPACE FOR ONE BUILDING ONLY**
 No required area, yard or other open space around an existing building or use which is needed to comply with the provisions of this ordinance shall be considered as providing the area, yard or open space for any other building or use; nor shall any area, yard or other required open space on an adjoining lot or parcel be considered as providing the area, yard or open space on the lot or parcel where a building is to be erected or constructed.
- 3-6: **TRANSFER OF REQUIRED SPACE PROHIBITED**
 In order to commence or continue any use of a lot or parcel of land, such parcel shall contain the space necessary to meet the setback, yard, area, width, frontage, access, open space, and all other requirements of this ordinance for such use. In the event that the setback, yard, area, width, frontage, access, or other space required for an existing building or use is alienated from such building or use due to a lot or parcel split or transfer of part of the land, neither of the lots or parcels resulting from the split shall be used or approved for use until compliance is reestablished by reconsolidating, change in use, or other corrective action.
- 3-7: **ADJACENT UNSUBDIVIDED PARCELS IN THE SAME OWNERSHIP**
 Where two or more adjacent parcels of land are owned by the same person or entity, and are not included within a recorded large-scale development plat, the land included in the parcels may be considered to be one parcel for the purpose of meeting the requirements of this ordinance for a building lot, provided the owner(s) records a deed with the County Recorder which describes the subject parcels as one consolidated parcel with a single perimeter boundary description which meets the requirements for a zoning lot within the subject zone. "Adjacent"

shall mean touching along a common side.

3-8: DWELLING SITE REQUIREMENTS

No lot or parcel of land, nor portion thereof, shall be used as a dwelling site which does not qualify as a "zoning lot" as defined herein and meets the area, frontage, width, use, and all other requirements of the zone in which it is located (all other sections of the land use ordinance which apply to the property in the subject zone), unless such lot or parcel qualifies as a dwelling site as a nonconforming lot or parcel of record subject to the provisions of this land use ordinance.

3-9: ACCESSORY STRUCTURE PROHIBITED AS LIVING QUARTERS

A dwelling unit shall not be permitted in any accessory structure, except as a qualifying accessory dwelling unit subject to the provisions of this land use ordinance.

3-10: ONE DWELLING PER LOT OR PARCEL

Only one building which contains a dwelling shall be located and maintained on a lot or parcel as defined in this ordinance, except for:

- (A) Dwelling units at a rate of one per approved site in a planned unit development, planned subdivision, mountain home development, or recreational resort platted and recorded according to the provisions of land use ordinance chapter 6.
- (B) As a qualifying accessory dwelling unit subject to the provisions of this land use ordinance.

3-11: FRONTAGE ON AN APPROVED PUBLIC STREET REQUIRED, EXCEPTIONS

A. For adequate access by emergency vehicles and local occupants, the frontage of each lot or parcel used as a site for a dwelling, , manned industrial plant or other facility or structure occupied by humans, shall abut on an official state road, county class "B" road, or city street which has been paved under the direction of the unit of government having jurisdiction, and from which frontage such facility gains vehicular and pedestrian access exclusively and entirely across the subject lot or parcel. The following are exceptions to the above requirement:

1. In commercial campgrounds or recreation vehicle courts access shall be by paved access driveways that have been provided according to the terms of land use ordinance chapter 3.
2. In the NC-1 or HS-1 zones where the land use is a listed, permitted use in the zone and abuts a paved parking area which enters onto a paved public street, access shall be from said paved parking area.
3. In large-scale developments that have been recorded with the County Recorder and where the lots or building sites abut on paved roads platted as a part of the development, access shall be from the frontage of said paved platted road across the subject lot or building site.
4. In those specific large-scale developments approved and platted before the universal road paving requirements were adopted on August 8, 1984, and wherein the subject road was not required to be paved, the lot or building site shall abut a road that meets the criteria of a suitable "graveled road" as defined in the land use ordinance chapter 2 and the Utah State Code. The gravel surfacing material must cover the full road surface width that was approved for the development and extend the entire distance of the road across the lot frontage and on to the point where the gravelled road connects with the paved road system.

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5. Building permits for those land uses identified in paragraph "A" above, may utilize unpaved county class "B" roads for frontage which have been part of the county road system and continuously shown on the official county road map since December 12, 1975, meet the criteria of a suitable "graveled road" under the land use ordinance chapter 2 and the Utah State Code, and which have the required gravel surfacing material covering the entire travel-surface width as designated for the specific type of development in the Utah County Development Standards Ordinance. This gravel road requirement must be met across the entire lot frontage and on to the point where the gravelled road connects with the paved road system.
6. In approved, noncommercial campgrounds, access from a paved county class "B" or state road or city street may be by a surfaced access driveway of sufficient design using engineering standards for a minimum of "H-20" loading in accordance with A Policy of Geometric Design of Highways and Streets (1990 edition) American Association of State Highways and Transportation Officials (AASHTO) or its equivalent counterpart in subsequent editions. Minimum driving surface width shall be twelve (12) feet and shall be provided according to the terms of chapter 3 of this ordinance. A road maintenance agreement must be entered into guaranteeing vehicular access during all periods of occupancy.
7. In the M&G-1, CE-1 and CE-2 Zones, the vehicular and pedestrian access must be gained from the frontage, but need not be exclusively and entirely across the subject lot, if the Zoning Administrator finds that all of the following conditions are met:
 - a. because of the topography, the construction of an access from the frontage to the facility, exclusively and entirely across the subject lot, would require excessive cuts and fills; and
 - b. because of the topography, the construction of an access from the frontage to the facility, exclusively and entirely across the subject lot, would require an access of excessive length; and
 - c. the owner of the property on which the portion of the access which falls outside of the subject lot is located, has granted to the owner of the subject lot, and to the subject lot owner's heirs, successors, and assigns, a written permanent perpetual easement, in a form acceptable to the Zoning Administrator, which complies with all requirements for a legal access, which is appurtenant to the subject lot, and which easement has been recorded in the office of the Utah County Recorder, or, if the United States of America is the owner of the property on which the portion of the access which falls outside of the subject lot is located, the United States of America has granted a private road easement, in the official form utilized by the governmental entity, to the owner of the subject lot; and
 - d. the owner of the subject lot has signed and recorded in the office of the Utah County Recorder a restrictive covenant and acknowledgment, in a form acceptable to the Zoning Administrator, which provides that, if the permanent perpetual easement, or the governmental issued private road easement, is terminated, for any reason, the Occupancy Permit issued by Utah County will immediately and automatically be revoked and become null and void, and the subject lot will not be used for human occupancy, either temporarily or permanently, until such time as the permanent perpetual easement, or the governmental issued private road easement is reinstated and approved by the Zoning Administrator; and
 - e. the access driveway must be designed and constructed to a grade no greater than 12 percent using engineering standards for a minimum of "H-20" loading in

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accordance with A Policy of Geometric Design of Highways and Transportation officials (AASHTO) or its equivalent counterpart in subsequent editions. A road maintenance agreement must be entered into between the owner of the subject lot and Utah County guaranteeing that the owner of the subject lot will maintain the access driveway in a condition to allow vehicular access during all periods of occupancy.

8. In the CE-1 and M&G-1 Zones, a nonconforming lot of record that lies within 500 feet of an official county class "B" road or municipal street that is separated from official road frontage by land in State or Federal ownership, may gain vehicular access to the lot by a written permanent perpetual easement or private road easement, in the official form utilized by the governmental entity and approved by the Zoning Administrator, granted to the owner of the subject lot and appurtenant to the subject lot, if said vehicular access driveway conforms to Utah County standards, currently adopted codes and other adopted applicable ordinances. Unless prohibited by the applicable governmental entity providing the access, the granting document shall be recorded in the Office of the Utah County Recorder. The owner of the subject lot shall sign and record in the office of the Utah County Recorder a restrictive covenant and acknowledgment, in a form acceptable to the Zoning Administrator, which provides that, if the permanent perpetual easement, or the governmental issued private road easement, is terminated, for any reason, the Occupancy Permit issued by Utah County will immediately and automatically be revoked and become null and void, and the subject lot will not be used for human occupancy, either temporarily or permanently, until such time as the permanent perpetual easement, or the governmental issued private road easement, is reinstated and approved by the Zoning Administrator. The access driveway must be designed and constructed to a grade no greater than 12 percent, unless a more restrictive requirement applies, using engineering standards for a minimum of "H-20" loading in accordance with A Policy of Geometric Design of Highways and Transportation officials (AASHTO) or its equivalent counterpart in subsequent editions. A road maintenance agreement must be entered into between the owner of the subject lot and Utah County guaranteeing that the owner of the subject lot will maintain the access driveway in a condition to allow vehicular access during all periods of occupancy.
9. Access to a permitted mining operation and access to a permitted building and appurtenant grounds and facilities when owned and occupied by a governmental agency (government building), where such use is located within a zone which allows such use as a permitted or permitted conditional use, shall be from a paved city street, paved or unpaved county road, or paved state road or highway, and access must be approved by the agency having jurisdiction of the nearest paved public street. Vehicular access from the public road, highway, or street to the mining operation or to the government building that is not exclusively across land in the same ownership as the parcel upon which the mining operation or the government building is located may be approved if the Zoning Administrator finds that all of the following conditions are met:
 - a. the owner of the property on which the portion of the access which falls outside of the land in the same ownership as the parcel on which the mining operation or the government building is located has granted to the owner of the parcel on which the mining operation or the government building is located, a written access easement, in a form acceptable to the Zoning Administrator, which complies with

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all the requirements for a legal access, which is appurtenant to the parcel upon which the mining operation or the government building is located, and which easement has been recorded in the office of the Utah County Recorder, or, if a governmental entity is the owner of the property on which the portion of the access which falls outside of the parcel on which the mining operation or the government building is located, the governmental entity has granted a private road easement or license, in the official form utilized by the governmental entity, to the owner of the parcel on which the mining operation or the government building is located; and

- b. the owner of the parcel on which the mining operation or the government building is located has signed and recorded in the office of the Utah County Recorder a restrictive covenant and acknowledgment, in a form acceptable to the Zoning Administrator, which provides that, if the easement, or the governmental issued private road easement or license, is terminated, for any reason, the permits and approvals issued by Utah County related to the mining operation or the government building will immediately and automatically be revoked and become null and void, and the subject parcel will not be used for the mining operation or the government building; and
 - c. engineering plans showing the proposed access road alignment, road grades, road loading, and road cross-sections have been submitted to and approved by the Utah County Engineer.
- B. Notwithstanding the above provisions, no road which is a county class "B" road due to its location within the ownership boundaries of the United States National Forest, the lands of the Bureau of Land Management (BLM), or the lands of another agency of the United States government, and maintained by Utah County under contract with the Forest Service, BLM, or other appropriate federal agency, shall be deemed to give adequate frontage unless:
1. Utah County has actual ownership of the right-of-way in the form of a recorded deed or written perpetual easement.
 2. The road surface is paved, in accordance with applicable County standards, to connect the subject site to the rest of the paved part of the county road system.

3-12: **MOTOR VEHICLE ACCESS**

All zoning lots and parcels of land having frontage on an official county road, city street, or state road or highway, and recorded large-scale development lots having their frontage on a private road, shall have motor vehicle access to the dwelling, commercial establishment, manned industrial plant or other facility occupied by humans, by a driveway that meets all of the following requirements:

1. A minimum driving surface width of 10 feet for the full length of the driveway from the official road access to the dwelling or occupied structure;
2. A grade that does not exceed 12 percent at any point along the length of the driveway unless the driveway is of such length that it qualifies as a fire access road which shall then meet the requirements for a fire access road as found in the currently adopted fire codes along its entire length from start of official frontage to the dwelling or occupied structure;
3. The driveway serves as vehicular access to only the approved land use on the specified parcel or lot, except for other approved uses not occupied by humans on an adjacent parcel or lot in the same ownership as the dwelling or occupied structure;
4. A second driveway on the same zoning lot or parcel as the dwelling or occupied structure must also meet the criteria stated in items 1- 3 above and have a minimum separation

between driveways on the same zoning lot or parcel as the dwelling or occupied structure of 40 feet;

5. When approved by the Utah County Public Works Department (for access from a County road) or Utah Department of Transportation (for access from a State road), a shared driveway may be approved for not more than two abutting zoning lots or parcels when the driveway is a minimum of twenty (20) feet in width with the common property boundary located in the center of the driveway so that there is a minimum of ten (10) feet of driveway on each side of the common property line from the County or State road frontage to the dwelling, commercial establishment, manned industrial plant or other facility occupied by humans;
6. All gated entries and driveway accesses shall comply with the adopted fire code and any other applicable adopted codes; and
7. Prior to construction of a driveway, gated entry, fire access road or any other motor vehicle access, plans shall be submitted and an approved access permit shall be issued from the Utah County Public Works Department or the Utah Department of Transportation.

3-13: EFFECT OF STREET PLAN

Wherever a lot or parcel abuts on an existing or proposed street that is depicted on the adopted general plan of Utah County, the depth of any required side, rear, or front yard for a building on such lot or parcel shall be measured from the street right-of-way lines designated in the plan, even if the street is currently narrower than the width found in the plan.

3-14: STORAGE OF TRUCKS IN CERTAIN ZONES PROHIBITED

The parking or other outdoor storage of trucks having a rated capacity of over one (1) ton, commercial vehicles over one (1) ton, and commercial construction equipment, are prohibited in all zones except for the following:

- A. As allowed in the I-1, Industrial Zone.
- B. Trucks rated greater than one (1) ton capacity and equipment that are used exclusively for agriculture production and farm maintenance may be stored on an agricultural parcel containing the farm dwelling or an agricultural parcel adjacent to the farm dwelling which is in the same ownership as the farm trucks and equipment.
- C. Agricultural equipment and agricultural vehicles under repair which have met the requirements of this land use ordinance for an agricultural equipment and agricultural repair facility.

3-15: OFF-STREET PARKING AND LOADING

A. INTENT AND SCOPE

The following regulations are established to increase safety and lessen congestion in the public streets, to provide adequately for parking needs associated with the development of land and increased automobile usage, to set standards for off-street parking according to the amount of traffic generated by each use, and to reduce the on-street storage of vehicles. Requirements for parking lots and facilities shall be as follows:

B. NUMBER OF SPACES

The following shall be the minimum number of off-street parking spaces required for each particular use and shall be in addition to any parking located along a road right-of-way.

1. Each dwelling unit shall have two off-street parking spaces plus one off-street parking space for each domestic or support staff person employed or residing on the premises during the highest employment or residency shift (except in recreational resorts where

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land use ordinance chapter 6 applies). As a means of encouraging the occupants of structures containing more than one dwelling unit to use the required off-street parking space in preference to on street parking spaces, entrances to buildings containing more than one dwelling unit shall be provided in locations that are at least as direct and convenient to the required off-street parking spaces as are the fronting streets.

2. Churches shall have one (1) parking space per three (3) seating spaces in the main assembly room.
3. Retail stores and personal service shops shall have parking space at the rate of five (5) parking spaces per one thousand (1,000) square feet of floor area.
4. Industrial, manufacturing, warehousing, and wholesale establishments shall have one (1) parking space per two (2) employees based on the largest shift.
5. Automobile wrecking yards shall have five (5) parking spaces.
6. Produce stands shall have five (5) parking spaces.
7. Veterinarian offices and facilities shall have two (2) parking spaces plus four (4) parking spaces times the number of veterinarians on the staff. Additionally, there shall be a designated parking area for trucks with trailers as determined by the Zoning Administrator.
8. Buildings and facilities for the repair of agricultural equipment and agricultural vehicles as an accessory use to a dwelling shall have two (2) parking spaces plus one (1) parking space times the number of outside employees. The parking spaces shall be for the exclusive use of the patrons and employees and not for storage.
9. Uses not listed--for any occupied building or structure, or any recreational or other open land where people will be present, and the parking requirements are not listed above, the number of required parking spaces shall be determined by the Zoning Administrator using comparable parking space needs to those uses listed in this section, other parking data available for the specific use intended, data and recommendations from the Utah County Public Works Department, and/or by a parking plan prepared by an engineer licensed to practice in the State of Utah.

C. **LOCATION AND CONTROL OF PARKING FACILITIES**

The off-street parking spaces required by this ordinance shall be located on the same lot or parcel of land as the use it is intended to serve.

Exception: The Zoning Administrator may approve a separate lot or parcel for parking use if he finds that the following standards are met:

1. There is a case of practical difficulty in placing all of the parking spaces on the same lot or parcel as the main use to be served.
2. The additional lot or parcel is adjacent, or a lot or parcel lying within two hundred (200) feet of the lot or parcel with the main use served by the parking spaces, and it shall be substantially equivalent in safety and ease of accessibility as parking on the main lot or parcel.
3. The additional lot or parcel is in the same ownership or leasehold as the lot or parcel with the main use to be served and will be maintained for parking as long as the main use exists. A deed restriction or equivalent document executed by the owners, which limits the offsite lot or parcel to parking use, shall be filed with the County Recorder and remain in effect during the life of the main use.
4. Parking and loading facilities may be located any place on the premises except for areas that are required to be landscaped. In a residential zone no more than thirty percent (30%) of the area contained within a required front yard shall be used for the parking of automobiles.

- D. ACCESS TO AND CIRCULATION WITHIN PARKING FACILITIES**
1. Access to a parking facility from a city street, county road, or state route, shall be approved by the County Engineer or the Utah Department of Transportation (UDOT).
 2. Circulation within a parking facility shall be approved by the County Engineer and the Utah County Fire Marshal.
- E. LIGHTING OF PARKING AREAS**
Any lighting used to illuminate off-street parking facilities shall be accomplished by shielded light sources to direct the light down and away from the adjoining premises.
- F. CONTINUING OBLIGATION**
The required off-street parking and loading facilities shall be a continuing obligation of the property owner as long as the main use served by the facilities continues. It shall be unlawful for an owner of any building or use to discontinue or dispense with the required vehicle parking or loading facilities without providing other vehicle parking or loading facilities which meet the requirements of this ordinance.
- G. PLOT PLAN APPROVAL REQUIRED**
At the time a building permit is requested for any building or structure, or at the time the use of land is changed which requires additional off-street parking, a plot plan shall be submitted showing the location and layout of the required parking spaces along with access aisles and driveways. The Zoning Administrator shall not approve the plot plan and permit if he/she finds that the plan does not comply with the requirements for off-street parking as set forth in this land use ordinance.

3-16: OFF-STREET LOADING SPACE REQUIRED

Every building which receives or distributes goods, materials, merchandise, or supplies by vehicle, shall be provided with at least one (1) off-street loading space. One (1) additional loading space shall also be provided for each vehicle which must be loaded or unloaded at the same time, whichever requirement is greater.

3-17: SETBACKS FROM STREETS

The required distance from which buildings and structures shall be setback from public and private streets shall be:

- A. One hundred (100) feet from the center line of any city street, county road or state road designated as an "arterial" street in the adopted county general plan, or 50 feet from the right-of-way line, whichever is greater;
- B. Sixty-three (63) feet from the center line of any city street, county road or state road designated as a "collector" street in the adopted county general plan or 30 feet from the right-of-way line, whichever is greater;
- C. Fifty-eight (58) feet from the center line of all other public streets (or 30 feet from the right-of-way line, whichever is greater); and
- D. Twenty-four (24) feet from the center line of a private road (or 15 feet from the property line that provides frontage on the private road, whichever is greater).

Exception: Recorded large-scale development plats that indicate a greater or lesser setback from the street as recorded on such plat, and other setback exceptions found in this land use ordinance.

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

- A. No structure used for farm animals (specifically domestic livestock or mink or other fur bearing animals) shall be constructed closer than fifty (50) feet to an existing dwelling on

an adjacent property.

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

3-19: FENCES AND WALLS

- A. Notwithstanding the setback, yard, and height requirements for structures otherwise stated in the land use ordinance, fences, gates, walls, hedges, berms, and other unroofed landscaping appurtenances may be located on the property line or in the yard between the building setback line and the property line provided:
 - 1. The maximum height above natural grade for a sight-obscuring fence, gate, wall, hedge, berm, or similar unroofed landscape feature is:
 - a. Three (3) feet where such fence or other feature is located between a public street and the setback line required for dwellings and other structures, or
 - b. Eight (8) feet where such fence or other feature is located farther from a public street than the distance of the setback line for dwellings and other structures.

Exception: On corner lots, or lots or parcels which are bordered by more than one public street, the sight-obscuring fence or other feature located on the non-fronting public street, or the public street which does not provide the required frontage for the dwelling or structure on the lot, may be eight (8) feet on the property line or public street right-of-way line to within thirty (30) feet of the front property line or the frontage of the public street right-of-way line.
 - 2. The maximum height above natural grade for a fence which is not sight-obscuring is eight (8) feet. Otherwise, all such fences, walls, hedges, berms, and other landscape features shall meet the setback, yard, and height requirements for structures in the zone in which they are located.
 - 3. Gated access entries require design approval from the Utah County Engineer and the Utah County Fire Marshal for minimum gate width, minimum height for gates with overhead cross-members, and additional gate setbacks for vehicles to be completely clear of the county or state road while parked and waiting for the gate to open.
- B. In all zones, fences, gates and/or walls adjacent to county roads shall be set back at least a minimum of half the required right-of-way width from the centerline of the road.

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