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JEFFERY SMITH
UTAH COUNTY RECORDER
2020 Jun 08 10:24 am FEE 0.00 BY MA
RECORDED FOR UTAH COUNTY COMMISSIONERS

ORDINANCE NO. 2020- 375

AN ORDINANCE AMENDING SECTIONS 5-3, 5-4, AND 6-1 OF THE UTAH COUNTY LAND USE ORDINANCE RELATED TO THE ELIMINATION OF PLANNED UNIT DEVELOPMENTS AS A PERMITTED CONDITIONAL USE IN THE TRANSITIONAL RESIDENTIAL (TR-5) AND RURAL RESIDENTIAL (RR-5) ZONES

WHEREAS, the Utah County Commission initiated a review of Section 5-3, 5-4, and 6-1 of the Utah County Land Use Ordinance (UCLUO) related to the elimination of Planned Unit Developments as a permitted conditional use in the Transitional Residential (TR-5) and Rural Residential (RR-5) Zones; 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 April 21, 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:

Section 5-3-C of the Utah County Land Use Ordinance is hereby amended, including the re-numbering of any applicable subsections, to read as follows:

- 5-3: RR-5 RURAL RESIDENTIAL ZONE
- C. PERMITTED CONDITIONAL USES

In the RR-5 zone the following shall not be permitted by the Zoning Administrator unless approval of a conditional use permit has been authorized in accordance with the zoning ordinance by the designated reviewing agency:

1. A man-made lake, pond, dam or other uncovered water reservoir over ten (10) acre feet in capacity, or a covered water tank or reservoir which extends over two (2) feet above natural grade, when such is found to be compatible with the surrounding neighborhood and approved by the Board of Adjustment as a conditional use according to the provisions of chapter 7 of this land use ordinance.
2. A preschool, or primary school or secondary school, which the Board of Adjustment has approved as a conditional use according to the provisions of chapter 7 of this land use ordinance.
4. A nursing home which the Board of Adjustment has approved as a conditional use according to the provisions of chapter 7 of this land use ordinance.
5. A planned subdivision which has been approved as a conditional use and plat approval by the County Commission according to the provisions of chapter 6 of this land use ordinance.

Part II:

Section 5-4-C of the Utah County Land Use Ordinance is hereby amended, including the renumbering of any applicable subsections, to read as follows:

5-4: TR-5 TRANSITIONAL RESIDENTIAL ZONE

C. PERMITTED CONDITIONAL USES

In the TR-5 zone the following shall not be permitted by the Zoning Administrator unless approval of a conditional use permit has been authorized in accordance with the land use ordinance by the designated reviewing agency:

1. A man-made lake, pond, dam or other uncovered water reservoir over ten (10) acre feet in capacity, or a covered water tank or reservoir which extends over two (2) feet above natural grade, when such is found to be compatible with the surrounding neighborhood and approved by the Board of Adjustment as a conditional use according to the provisions of chapter 7 of this land use ordinance.
2. A preschool, or primary school or secondary school, which the Board of Adjustment has approved as a conditional use according to the provisions of chapter 7 of this land use ordinance.
3. A planned subdivision which has been approved as a conditional use and plat approval by the County Commission according to the provisions of chapter 6 of this land use ordinance.
4. A nursing home which the Board of Adjustment has approved as a conditional use according to the provisions of chapter 7 of this land use ordinance.

Part III:

Section 6-1-C of the Utah County Land Use Ordinance is hereby amended, including the renumbering of any applicable subsections, to read as follows:

6-1: GENERAL PROVISIONS

C. SCOPE

1. Essential Requirements

Any person, partnership, firm, or corporation wishing to construct a large-scale development in Utah County shall file an application with the Zoning Administrator and shall comply with all the requirements set forth in this land use ordinance.

2. Types of Large-scale Developments

The following types of large-scale developments may be constructed, but only in the zones as indicated:

Planned Unit Developments: (PC)

Planned Subdivisions: (RA-5, RR-5, TR-5, CE-1, CE-2, M&G-1, A-40, PC)

Planned Nonresidential Subdivisions: (NC-1, HS-1, I-1, PC)

Mountain Home Developments: (CE-2)

Recreational Resorts: (CE-2)

Part IV:

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

Part V:

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

Part VI:

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

PASSED and ordered published this 3rd day of June 2020.

UTAH COUNTY COMMISSION

VOTE

DocuSigned by:
Tanner King
TANNER KING, CHAIR

YEA

DocuSigned by:
[Signature]
NATHAN VIE, VICE-CHAIR

YEA

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

YEA



ATTEST:
AMELIA A. POWERS
Utah County Clerk/Auditor

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

By: *Alice Black*
Deputy

Approved

Disapproved

By: *Robert J Moore*
Deputy

Date of Publication: Once only, as soon as possible