

ENT 2081:2023 PG 1 of 4
ANDREA ALLEN
UTAH COUNTY RECORDER
2023 Jan 12 12:15 pm FEE 0.00 BY MG
RECORDED FOR COMMUNITY DEVELOPMENT

ORDINANCE NO. 2023 - 47

**AN ORDINANCE AMENDING SECTIONS 2.08 AND 4.68 OF THE UTAH COUNTY
LAND USE ORDINANCE TO INCLUDE REQUIRED SETBACKS FROM ROAD
EASEMENTS FOR PRIVATE ROADS.**

WHEREAS, an applicant initiated a review of Sections 2.08 and 4.68 of the Utah County Land Use Ordinance (UCLUO) to include required setbacks from road easements for private roads; 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 December 20, 2022, 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 2.08 of the Utah County Land Use Ordinance is hereby amended, including the appropriate re-numbering and re-formatting of applicable subsections, to amend the following definition:

2.08 Definitions – Land Use

"**Setback**" The width of unobstructed yard space between a specific reference point (such as a property line, road right-of-way line, building, or watercourse) and the closest point on the nearest building or structure.

1. **Front Setback:** The setback from the property line or reference point that abuts a road; or where the lot abuts two (2) or more roads or does not abut any road, the front setback shall be the distance to the nearest property line or reference point from the wall of the building that has the primary entrance.
2. **Rear Setback:** The setback on the opposite side of the lot from the front setback. It is measured on a line running parallel to the line used to measure the front setback and constitutes the shortest such parallel between the rear of the building and the nearest property line or reference point.
3. **Side Setback:** A setback measured perpendicularly to the front setback line which determines the shortest distance from the edge of the structure to the nearest property line or reference point.

Part II:

Section 4.68 of the Utah County Land Use Ordinance is hereby amended, including the appropriate re-numbering and re-formatting of applicable subsections, to amend the following:

4.68 Setbacks From Streets

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

1. One hundred and three (103) 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;
2. Seventy-two (72) 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;
3. 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
4. Twenty-four (24) feet from the center line of a private road or 15 feet from the property line, road right-of-way, or edge of road easement 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.

Part III:

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 IV:

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 V:

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 11th day of January 2023.

UTAH COUNTY COMMISSION

VOTE



AMELIA POWERS GARDNER, CHAIR

Yea



BRANDON GORDON, VICE-CHAIR

Yea



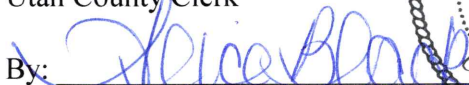
THOMAS V. SAKIEVICH, COMMISSIONER

Yea

ATTEST:
AARON R. DAVIDSON
Utah County Clerk



APPROVED AS TO FORM:
JEFFREY S. GRAY
Utah County Attorney

By: 
Deputy

Approved



A handwritten signature in black ink, appearing to read "Edw. M.", is written over a horizontal line.

_____ Disapproved

By:

Deputy

Date of Publication: Once only, as soon as possible