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ANDREA ALLEN
UTAH COUNTY RECORDER
2021 Apr 05 2:29 pm FEE 0.00 BY SM
RECORDED FOR UTAH COUNTY COMMUNITY D

ORDINANCE NO. 2021- 258

**AN ORDINANCE AMENDING CHAPTER 12 OF THE UTAH COUNTY LAND USE
ORDINANCE RELATED TO STEALTH TELECOMMUNICATIONS TRANSMISSION
FACILITIES**

WHEREAS, the Utah County Planning Commission initiated a review of Chapter 12 of the Utah County Land Use Ordinance (UCLUO) to provide clarity and consistency related to stealth telecommunication transmission facilities; 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 March 16, 2021, 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:

“Exception I” of Sections 12.08-G-1, 12.12-G-1, 12.16-G-1, 12.20-G-1, 12.24-G-1, 12.28-G-1, 12.32-G-1, 12.36-G-1, 12.40-G-1, 12.48-G-1, 12.56-G-1, and 12.68-G-1 of the Utah County Land Use Ordinance is hereby amended, including the re-numbering of any applicable subsections, to read as follows:

An antennae of a “stealth telecommunications transmission facility” may exceed the

initial elevation of the existing transmission tower, utility pole, or other existing building or structure to which it is attached by no more than 10 feet.

Part II:

Sections 12.08-G-1, 12.12-G-1, 12.16-G-1, 12.20-G-1, 12.24-G-1, 12.28-G-1, 12.32-G-1, 12.36-G-1, 12.40-G-1, 12.48-G-1, 12.56-G-1, and 12.68-G-1 of the Utah County Land Use Ordinance is hereby amended, including the appropriate numbering of applicable subsections, as follows:

Add the words "except for the following" to each subsection G-1 of the sections listed above and list all current exceptions as a subsection of G-1, along with the deletion of the reference to "Exception 1", "Exception 2", etc.

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 24th day of March 2021.

UTAH COUNTY COMMISSION

VOTE

DocuSigned by:
William C. Lee

WILLIAM C. LEE, CHAIR

YEA

DocuSigned by:
Thomas V. Sakievich

THOMAS V. SAKIEVICH, VICE-CHAIR

YEA



ATTEST:
AMELIA A. POWERS
Utah County Clerk/Auditor

DocuSigned by:
By: Alice Black
Deputy

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

Approved

Disapproved

DocuSigned by:
By: Robert J Moore
Deputy

Date of Publication: Once only, as soon as possible