

## ORDINANCE 2023-12

**AN ORDINANCE AMENDING AND ADDING TO THE PLEASANT VIEW MUNICIPAL CODES §17.02.150 – LICENSES AND PERMITS, §18.04.419 – MUNICIPAL UTILITY FACILITY, §18.42.200 – MUNICIPAL UTILITY FACILITY.**

**WHEREAS**, Pleasant View City finds that the amendments and additions to Pleasant View Municipal Code Title 17 & Title 18 of the Zoning Ordinance is consistent with the City's General Plan and further promotes and supports businesses in the City; and

**WHEREAS**, Pleasant View City finds that such an amendment is in the best interest of the City; and

**WHEREAS**, Section 10-9a-503 (1) and (2) of the Utah State Municipal Code provides for the amendment of municipal ordinances after receiving a recommendation from the Planning Commission; and

**WHEREAS**, The Pleasant View City Planning Commission has made a positive recommendation of the proposed amendment.

**NOW THEREFORE**, Be it hereby ordained that:

**SECTION ONE:** Chapter 17.02.150 shall hereby be amended as follows:

**17.02.150 Licenses and Permits:** From the effective date of this Ordinance, no license or permit, including the issuance of a building permit for the construction, alteration, or modification of any building or structure, shall be issued by the City unless such permit or license complies with the requirements and provisions of this Ordinance, including a determination that the lot or parcel, proposed for the license or permit, is a legal lot created pursuant to the provisions of this Ordinance, or subsequent Subdivision Ordinances, or is a legal lot of record. Any license or permit issued in conflict with the provisions and requirements of this Ordinance shall be void.

1. Exceptions from these requirements are as follows:

**a. Subdivision Requirements and Site Development Standards for Municipal Utility Facilities.** Lots intended for use by a Municipal Utility Facility, as defined in Chapter 18.04 of City Code, shall be identified for this use by the City Administrator, by proposing a subdivision plat denoting the lot as a Restricted Lot (R-Lot), which shall be reviewed by the Planning Commission, and with regards solely to the approval process, shall meet the requirements in 17.10.040 of City Code. The plat shall contain a note, designating that building permits on any R-Lot approved for this purpose, shall be issued only for Municipal Utility Facility related structures and facilities. Lots approved for a Municipal Utility Facility shall not be required to have frontage along a public or private right-of-way, nor any public right-of-way or other public improvement requirements, except if noted in 18.42.200 of City Code. Site plans shall be administratively reviewed by the Planning Department, on such lots, for conformity to the site development standards for Municipal Utility Facilities listed in 18.42.200 of City Code, at the time of application for a building permit. Mailed notice shall be provided to property owners within 300 feet of the proposed lots (which shall comprise the directly affected area for such subdivisions) for such facilities in accordance with the timing required for a public hearing. Such plats shall be recorded, with the signature of the Mayor, City Engineer, and Planning Commission Chair on the plat.

**SECTION TWO:** Chapter 18.04.419 shall hereby be added to the definitions as follows:

**18.04.419 Municipal Utility Facility.** A site that is owned, controlled, or managed by the City whereon structures, equipment, and/or materials may be constructed or stored in order to provide a municipal utility service, or to enable the City to service, maintain in good condition, construct, or repair roads, sidewalks, water, sewer, and stormwater utility lines, or other public utilities within the City. Such facilities shall include, but not be limited to water tanks, material storage yards, offices and buildings related to the operation of such facilities, and similar facilities used by the City. Site development standards for Municipal Utility Facilities are listed in Chapter 18.42 of City Code.

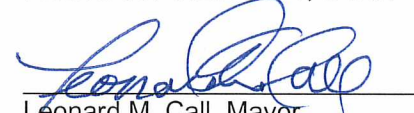
**SECTION THREE:** Chapter 18.42.200 shall hereby be added as follows:

**18.42.200 Municipal Utility Facilities.** Lots approved for a Municipal Utility Facility shall not be required to have frontage along a public or private right-of-way, public right-of-way or other public improvement requirements, lot width requirements, lot area and landscaping requirements, nor site development standards, except as noted within this provision. Such lots shall be exempt from secondary water requirements and, when applicable, shall address any stormwater detention and retention issues and requirements. Notwithstanding the permitted uses listed for each zone, Municipal Utility Facilities shall be a permitted use in each zone in the City. Site development standards on such lots shall be as follows: Structures requiring a building permit on such lots shall be required to be located at least thirty feet (30') from any public right-of-way, and fifteen feet (15') from all other property lines, with the exception that bins for the storage of materials shall have a 1:1 ratio setback requirement (one foot required setback from the property line, for each foot of height), unless they are screened from view, by a fence or wall, up to six feet in height (excluding posts or post caps), in which case they may be adjacent to the fence or wall, which may be along a property line. The height limit for structures on such lots shall be thirty-five feet (35'), in all zones, which shall be measured from the highest point of contact of the finished grade with the structure. Lots designated for such facilities are permitted to be accessed by a vehicular access easement on adjoining lots or parcels, ultimately connecting to a public right-of-way, which may be noted on the plat, and/or by an easement agreement for adjacent lots or parcels. Such vehicular accesses may be unimproved. This provision shall prevail over all standards listed in specific zones.

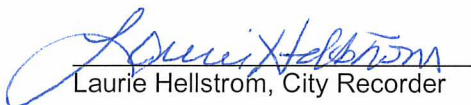
**SECTION FOUR:** This ordinance shall take effect immediately upon approval and posting.

**DATED** this 23 day of MAY, 2023.

PLEASANT VIEW CITY, UTAH

  
Leonard M. Call, Mayor

Attest:

  
Laurie Hellstrom, City Recorder

Posted this 30 day of MAY, 2023

This ordinance has been approved by the following vote of the Pleasant View City Council:

CM Arrington	<u>Yes</u>
CM Gibson	<u>Yes</u>
CM Marriott	<u>Yes</u>
CM Nelsen	<u>Yes</u>
CM Urry	<u>Yes</u>

