

ORDINANCE NO. 2012- 17

**AN ORDINANCE AMENDING CHAPTER 6, LARGE SCALE DEVELOPMENTS,  
SECTION 6-3, PLANNED SUBDIVISIONS, SUBSECTION D, STANDARDS AND  
CONDITIONS, TO AMEND PARAGRAPH 10(g), WATER SUPPLY; OF THE UTAH  
COUNTY LAND USE ORDINANCE**

**WHEREAS**, the Utah County Planning Commission has initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with an amendment to “planned subdivisions, standards and conditions” for large scale developments as indicated in the above stated section; and

**WHEREAS**, the Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance during the regularly scheduled meeting of the Planning Commission, scheduled and 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 from the Utah County Planning Commission meeting and 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 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 6-3-D-10(g), of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-3: PLANNED SUBDIVISIONS

D. STANDARDS AND CONDITIONS



10. Water System

- g. Existing and proposed irrigation structures located within an existing or proposed road right-of-way, such as concrete or earth channels, ditches, pipes, head-gate structures, and any other facilities pertaining to irrigation systems, shall be relocated outside of all existing or proposed road rights-of-way. If an irrigation company is supplying the irrigation water, the design and construction of all new and existing irrigation channels, ditches, structures, and other facilities shall be: (i) pre-approved in a written signed document from said irrigation company, and (ii) approved by the Utah County Engineer. The written document shall include approval of adequate ditch sizes, location of the irrigation system within the subdivision, and the materials to be used to construct the irrigation system. The irrigation system shall be designed to allow for each lot to be watered independently. Any open irrigation channels or ditches which are adjacent to the county right of way shall be lined with concrete or with some other impermeable material approved by the Utah County Engineer. Closed irrigation channels or ditches, such as piped ditches, which are adjacent to the county right of way shall be reviewed and approved by the Utah County Engineer for adequate construction, pipe type and diameter. The design, layout, construction, facilities, construction materials, ditch sizes, and component elements, of the proposed irrigation system, shall be reviewed and approved by the Utah County Engineer.

**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 22<sup>nd</sup> day of May, 2012.

UTAH COUNTY COMMISSION

VOTE

*Larry A. Ellertson*  
LARRY A. ELLERTSON, CHAIR

aye

*Doug Witney*  
DOUG WITNEY, COMMISSIONER

aye

excused  
GARY J. ANDERSON, COMMISSIONER

excused

ATTEST:  
BRYAN E. THOMPSON  
County Clerk/Auditor

APPROVED AS TO FORM:  
JEFFREY R. BUHMAN  
County Attorney

By: *Bernie Higgins*  
Deputy



Approved

Disapproved

By: *Jeffrey R. Buhman*  
Deputy

Date of Publication: Once only, as soon as possible