



ENT 110875:2015 PG 1 of 3  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2015 Dec 10 3:50 pm FEE 0.00 BY SW  
RECORDED FOR UTAH COUNTY COMMISSIONERS

ORDINANCE NO. 2015- 26

**AN ORDINANCE AMENDING SECTION 5-12, NHO NATURAL HAZARDS OVERLAY ZONE, OF THE UTAH COUNTY LAND USE ORDINANCE**

**WHEREAS**, the Utah County Planning Commission (“Planning Commission”) initiated a review of the Utah County Land Use Ordinance, dealing with amending Section 5-12 related to the determination of the Natural Hazards Overlay (NHO) Zone and the related appeal process; 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 Planning Commission meeting, including the input, documents, and testimony from the public hearing 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, 2014, 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 5-12-B-3 of the Utah County Land Use Ordinance, is hereby added, to read as follows

5-12: NHO NATURAL HAZARDS OVERLAY ZONE

B. SCOPE

3. Interpretation

To determine which properties lie within the NHO Zone, the Zoning Administrator shall determine the boundaries of the zone by scaling the distances from the Utah County Zone Map. He may be aided by the Natural Hazards Overlay Map Series, including updated data from the U.S. Geological Survey (USGS) and the Utah Geological Survey. Any adversely affected party contesting the location of the zone boundary shall comply with the procedures set forth under Title 17, Chapter 27a, of the Utah Code Annotated 1953, as amended. Such

2nd RECORDING  
ENT 112012:2016 PG 1 of 4  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2016 Nov 07 12:58 pm FEE 0.00 BY SS  
RECORDED FOR UTAH COUNTY COMMISSIONERS  
UTAH COUNTY COMMISSIONERS

1 \*\*\*This document is being re-record to remove a word (“person”) that was not to be include in the amended version of Section 5-12-B-3 of the Utah County Land Use Ordinance, as approved by the Utah County Commission on November 24, 2015.\*\*\*

adversely affected party shall make a request to contest the location of the zone boundary within twenty(20) days of the date of the decision being contested.

**Part II:**

Section 5-12-F-4 of the Utah County Land Use Ordinance, is hereby added, to read as follows:

5-12: NHO NATURAL HAZARDS OVERLAY ZONE

F. SPECIAL REQUIREMENTS

4. Maps Adopted by Reference

The map series "Utah County Natural Hazards Overlay," dated April 1, 1990, is hereby adopted by reference in book form. One copy of the complete map series is hereby ordered to be placed in the office of the Utah County Clerk. This map series may be used in the administration of the NHO Zone as required therein, which may include updated data from the U.S. Geological Survey (USGS) and the Utah Geological Survey.

**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 November 2015.

**UTAH COUNTY COMMISSION**

**VOTE**

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

*Agree*

excused  
WILLIAM C. LEE, COMMISSIONER

0

Greg Graves  
GREG GRAVES, COMMISSIONER

aye

**ATTEST:**  
**BRYAN E. THOMPSON**  
County Clerk/Auditor

By: [Signature]  
Deputy



**APPROVED AS TO FORM:**  
**JEFFREY R. BUHMAN**

County Attorney  
 Approved

Disapproved

By: [Signature]  
Deputy

Date of Publication: Once only, as soon as possible.

PASSED and ordered published this 24th day of November 2015.

**UTAH COUNTY COMMISSION**

**VOTE**

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

*aye*

\_\_\_\_\_  
WILLIAM C. LEE, COMMISSIONER

*Greg Graves*  
GREG GRAVES, COMMISSIONER

*aye*

**ATTEST:**  
**BRYAN E. THOMPSON**  
County Clerk/Auditor

By: *Renee Aron*  
Deputy



**APPROVED AS TO FORM:**  
**JEFFREY R. BUHMAN**

County Attorney  
 Approved

\_\_\_\_\_  
Disapproved  
By: *Jeffrey R. Buhman*  
Deputy

Date of Publication: Once only, as soon as possible.