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JEFFERY SMITH  
UTAH COUNTY RECORDER  
2017 Sep 08 4:35 pm FEE 0.00 BY BA  
RECORDED FOR UTAH COUNTY COMMISSIONERS

**ORDINANCE NO. 2017- 13**

**AN ORDINANCE AMENDING SECTION 6-3 OF THE UTAH COUNTY LAND USE ORDINANCE, RELATED TO WATER SYSTEM REQUIREMENTS FOR PLANNED SUBDIVISIONS**

**WHEREAS**, the Planning Commission initiated a review of the Utah County Land Use Ordinance (UCLUO), dealing with amending Section 6-3, related to water system requirements for planned subdivisions; and

**WHEREAS**, the Planning Commission addressed the proposed amendments to the Utah County Land Use Ordinance during the regularly scheduled meeting of the Planning Commission, on June 20, 2017, and made a recommendation to the Board of County Commissioners regarding the proposed amendments; and

**WHEREAS**, a public hearing regarding the proposed amendments was scheduled and held during the regularly scheduled meeting of the Planning Commission, on June 20, 2017; and

**WHEREAS**, the Board of County Commissioners has received and carefully reviewed the recommendation from the Planning Commission regarding the proposed amendments, the minutes of the June 20, 2017 Utah County Planning Commission meeting, and the public hearing regarding the proposed amendments 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 amendments to the Utah County Land Use Ordinance; and

**WHEREAS**, the Board of County Commissioners finds the proposed amendments 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 amendments 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:**

Subsection 6-3-D-9-e of the Utah County Land Use Ordinance is hereby amended to read as follows:

6-3: PLANNED SUBDIVISIONS  
D. STANDARDS AND CONDITIONS  
9. Water System

- e. 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, unless the County Engineer determines that the closed, below-grade, existing or proposed irrigation structures or facilities may lie within the portion of the existing or proposed right-of-way that separates the clear zone from the right-of-way line, only, and the location of such structures or facilities, in that portion of the existing or proposed right-of-way that separates the clear zone from the right-of-way line, will not impair the right-of-way. Irrigation pipes, piped irrigation channels, and piped ditches may cross under a public street provided that the entry and exit of such lies outside of the right-of way and that such crossing meets all applicable street standards adopted by Utah County. 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: pre-approved in a written signed document from said irrigation company, and 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, 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 18th day of July 2017.

**UTAH COUNTY COMMISSION**

**VOTE**

  
\_\_\_\_\_  
WILLIAM C. LEE, CHAIR

aye

  
\_\_\_\_\_  
GREG GRAVES, VICE-CHAIR

aye

  
\_\_\_\_\_  
NATHAN IVIE, COMMISSIONER

aye

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

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

By:   
\_\_\_\_\_  
Deputy

Approved

Disapproved



By:   
\_\_\_\_\_  
Deputy

Date of Publication: Once only, as soon as possible