

Section 17.48.010 Declaration Of Legislative Intent

The FPO Flood Plain Overlay Zone includes those flood hazard areas of the unincorporated portion of Duchesne County which have been identified by the most current Federal Insurance Administration report entitled "Flood Insurance Study, Duchesne County, Utah, Unincorporated Areas" and its accompanying "FIRM Flood Insurance Rate Map, Duchesne County, Utah" as having a one percent chance of flooding, plus other unincorporated areas identified by the County Commission as having a significant flood hazard. These provisions are not in effect until flood plains are identified.

The flood hazard areas included within the zone are subject to periodic inundation which results in:

1. Loss of life and property;
2. Hazards to health and safety;
3. Disruption of commerce and governmental services;
4. Impairment of the tax base; and
5. Extraordinary public expenditures for flood protection and damage relief.

Losses from flooding in this zone are caused by the cumulative effect of obstructions in the path of flooding which:

1. Increase the height and velocity of floods,
2. Cause inadequately anchored structures to move during a flood and damage other property, and
3. Results in damage to structures or uses which are inadequately flood proofed, elevated, or otherwise protected from flood damage.

It is hereby declared that the specific purposes and intent of the County Commission in establishing the FPO Zone are:

1. To take advantage of the powers and more fully implement the basic purposes for planning and zoning set forth in Section 17-27a-102 Utah Code Annotated, and to implement the plans provided for in Section 17-27a-401 of said Code.
2. To make the unincorporated portion of Duchesne County eligible for the federal flood insurance program by enacting these flood protection regulations according to federal guidelines.
3. To protect human life and health.
4. To minimize the expenditure of public money for costly flood control projects.
5. To minimize the need for rescue and relief efforts associated with flooding, which occur at public expense.
6. To minimize prolonged business interruptions.
7. To minimize damage to essential public facilities, including water, and gas mains, electric, telephone and sewer lines, roads, and bridges located in areas of special flood hazard.

8. To maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas.
9. To notify buyers of areas of special flood hazard.
10. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions regarding land use, construction, and grading.

In order to accomplish the stated purposes and intent, the provisions of the FPO Zone:

1. Restrict or prohibit those uses that are dangerous to health, safety, and property because they contribute to damaging increases in erosion, flood heights, or flood velocities or generate new hazards of erosion or water;
2. Require that uses and facilities vulnerable to floods be protected against flood damage at the time of construction;
3. Control the alteration of natural flood plains, stream channels, and protective barriers which accommodate or dissipate flood waters;
4. Control any filling, grading, dredging, or other development, which may unnaturally divert floodwaters or increase flood hazards in other areas.

The following provisions shall apply.