

3-26: FLOOD PROTECTION

In all zones other than the Flood Plain Overlay Zone, the following regulations shall apply.

A. No dwelling or other building used for human habitation shall be constructed within one hundred (100) feet from the banks of a stream, gully, or other flood channel.

Exception: a permit may be issued by the Zoning Administrator within the 100-foot limit, upon a favorable review of the County Surveyor based on existing engineering reports or his own on-site investigations, when it is determined:

1. That the structure will be above water during normal spring runoff and the water levels of a base flood; and
2. The design of the building and any appurtenant residential accessory structures, grading work, driveways, and landscaping features will be sufficient to protect both the building and other property from damage due to flooding.

However, if the Zoning Administrator, with the assistance of the County Surveyor, cannot determine that the above criteria are met based on the available information, an engineering study and report by a Professional Engineer licensed to practice in the State of Utah may be obtained by the applicant and submitted for approval by the Zoning Administrator, after favorable review of the County Surveyor.

B. No use or structure (except flood control works or irrigation diversion dams) shall be permitted in any flood channel if such use or structure will adversely affect normal flow, will increase flooding of land above or below the property, will increase erosion within or adjoining the flood channel, will cause diversion of flood waters in a manner more likely to create damage than does flow in a normal course, will increase peak flows or velocities in a manner likely to add to property damage or hazards to life, or will increase amounts of damaging materials (including those likely to be injurious to health) which might be carried downstream in floods.