# UTAH

## I. STATE-LEVEL LAND USE PLANNING

### Are There Guidelines for a State Plan?

The guidelines here must specifically be for state land use plans or plans with land use elements. Some state land use plans may be limited to certain critical areas, such as shorelines, and are noted as such.

| Finding    | No                      |
| Comment/Statute | None                  |

### Do the Guidelines Include a Land Use Element?

This question addresses whether the state plan has a land use element. In some cases, states have land use plans for certain designated areas of special concern.

| Finding    | NA                      |
| Comment/Statute | None                  |

### Do the Guidelines Contain a Hazard Mitigation Element?

This question addresses whether the state plan contains an element addressing natural hazards.

| Finding    | NA                      |
| Comment/Statute | None                  |

## II. STATE PLANNING LEGISLATION

### Code Citation for State Planning Enabling Legislation

This is a citation of the code chapter or sections that contain the state’s planning enabling legislation. Depending on the structure of the state code, this may be one section addressing all planning-related issues or separate sections for different classes of local government, for instance, county and municipal, or even different classes of municipalities.

| Finding    | Utah Code 10-9a (municipal); 17-27a (county) |
| Comment/Statute | None                  |
### Are Local Plans Mandated by State Law?

The question here is whether local governments are required to plan, as opposed to simply being empowered to plan.

<table>
<thead>
<tr>
<th>Finding</th>
<th>Yes</th>
</tr>
</thead>
</table>
| Comment/Statute | “General plan required -- Content. (1) In order to accomplish the purposes of this chapter, each municipality shall prepare and adopt a comprehensive, long-range general plan for: (a) present and future needs of the municipality; and (b) growth and development of all or any part of the land within the municipality.” (UC 10-9a-401)  
“General plan required -- Content -- Resource management plan -- Provisions related to radioactive waste facility. (1) To accomplish the purposes of this chapter, each county shall prepare and adopt a comprehensive, long-range general plan: (a) for present and future needs of the county; (b) (i) for growth and development of all or any part of the land within the unincorporated portions of the county; or (ii) if a county has designated a mountainous planning district, for growth and development of all or any part of the land within the mountainous planning district; and (c) as a basis for communicating and coordinating with the federal government on land and resource management issues.” (UC 17-27a-401) |

### Jurisdictions Covered

“Jurisdictions covered” here refers only to jurisdictions affected by requirements to plan and not to those simply granted authority to do so.

<table>
<thead>
<tr>
<th>Finding</th>
<th>Counties, Municipalities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comment/Statute</td>
<td>None</td>
</tr>
</tbody>
</table>

### Must the Plan Be Formally Adopted?

This question addresses the legal issue of whether state law specifies that the city or county legislative body (e.g. county board or city council) must legally adopt the comprehensive plan to put it into effect. The common alternative is adoption by the planning commission.

<table>
<thead>
<tr>
<th>Finding</th>
<th>Yes</th>
</tr>
</thead>
</table>
| Comment/Statute | Counties: “The legislative body shall adopt: (a) a land use element as provided in Subsection 17-27a-403(2)(a)(i); (b) a transportation and traffic circulation element as provided in Subsection 17-27a-403(2)(a)(ii); (c) after considering the factors included in Subsection 17-27a-403(2)(b), a plan to provide a realistic opportunity to meet the need for additional moderate income housing; and (d) before August 1, 2017, a resource management plan as provided by Subsection 17-27a-403(2)(a)(iv).” (UC 17-27a-404(6))  
Municipalities: “The legislative body shall adopt: (a) a land use element as provided in Subsection 10-9a-403(2)(a)(i); (b) a transportation and traffic circulation element as provided in Subsection 10-9a-403(2)(a)(ii); and (c) for all cities, after considering the factors included in Subsection 10-9a-403(2)(b)(ii), a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur.” (UC 10-9a-404(5)) |
Internal consistency refers to the requirement that zoning be based upon and consistent with the legally adopted comprehensive plan.

<table>
<thead>
<tr>
<th>Finding</th>
<th>No</th>
</tr>
</thead>
</table>
| **Comment/Statute** | Land-use statutes reference consistency, but they do not specify the comprehensive plan.  
  Counties: “A land use regulation shall be consistent with the purposes set forth in this chapter.” (UC 17-27a-501(3))  
  Municipalities: “A land use regulation shall be consistent with the purposes set forth in this chapter.” (UC 10-9a-501(3)) |

**Vertical Consistency Required or Assisted?**

Vertical consistency refers to any requirement that the local comprehensive plan of a city or county not conflict with plans of higher levels of government within the state. For example, a city plan must be consistent with the provisions of county, regional, or statewide plans.

<table>
<thead>
<tr>
<th>Finding</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Comment/Statute</strong></td>
<td>None</td>
</tr>
</tbody>
</table>

**Horizontal Consistency Required or Assisted?**

Horizontal consistency means that the state requires intergovernmental coordination among neighboring jurisdictions so that, for example, adjoining municipalities may not have conflicting provisions in their own local plans and must coordinate their planning to avoid this outcome.

<table>
<thead>
<tr>
<th>Finding</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Comment/Statute</strong></td>
<td>None</td>
</tr>
</tbody>
</table>

**Does State Specify or Suggest Elements of Local Plans?**

Some states clearly specify in their statutes a list of elements that must be included in the local comprehensive plan and in some cases, this list details what each of those elements must contain. Other states merely list the topics without being more specific. A few states say nothing at all in their statutes about what the plan must contain.

<table>
<thead>
<tr>
<th>Finding</th>
<th>Both</th>
</tr>
</thead>
</table>
| **Comment/Statute** | Counties: “(2) To promote health, safety, and welfare, the general plan may provide for:  
  (a) health, general welfare, safety, energy conservation, transportation, prosperity, civic activities, aesthetics, and recreational, educational, and cultural opportunities;  
  (b) the reduction of the waste of physical, financial, or human resources that result from either excessive congestion or excessive scattering of population;  
  (c) the efficient and economical use, conservation, and production of the supply of: (i) food and water; and (ii) drainage, sanitary, and other facilities and resources;  
  (d) the use of energy conservation and solar and renewable energy resources;  
  (e) the protection of urban development; |
(f) the protection and promotion of air quality;
(g) historic preservation;
(h) identifying future uses of land that are likely to require an expansion or significant modification of services or facilities provided by each affected entity; and
(i) an official map.

(3) (a) The general plan shall:
(i) allow and plan for moderate income housing growth; and
(ii) contain a resource management plan for the public lands, as defined in Section 63L-6-102, within the county.

(b) On or before July 1, 2019, a county with a general plan that does not comply with Subsection (3)(a)(i) shall amend the general plan to comply with Subsection (3)(a)(i).

(c) The resource management plan described in Subsection (3)(a)(ii) shall address: (i) mining; (ii) land use; (iii) livestock and grazing; (iv) irrigation; (v) agriculture; (vi) fire management; (vii) noxious weeds; (viii) forest management; (ix) water rights; (x) ditches and canals; (xi) water quality and hydrology; (xii) flood plains and river terraces; (xiii) wetlands; (xiv) riparian areas; (xv) predator control; (xvi) wildlife; (xvii) fisheries; (xviii) recreation and tourism; (xix) energy resources; (xx) mineral resources; (xxi) cultural, historical, geological, and paleontological resources; (xxii) wilderness; (xxiii) wild and scenic rivers; (xxiv) threatened, endangered, and sensitive species; (xxv) land access; (xxvi) law enforcement; (xxvii) economic considerations; and (xxviii) air.

(d) For each item listed under Subsection (3)(c), a county’s resource management plan shall: (i) establish findings pertaining to the item; (ii) establish defined objectives; and (iii) outline general policies and guidelines on how the objectives described in Subsection (3)(d)(ii) are to be accomplished.

(4) (a) The general plan shall include specific provisions related to any areas within, or partially within, the exterior boundaries of the county, or contiguous to the boundaries of a county, which are proposed for the siting of a storage facility or transfer facility for the placement of high-level nuclear waste or greater than class C radioactive nuclear waste, as these wastes are defined in Section 19-3-303. The provisions shall address the effects of the proposed site upon the health and general welfare of citizens of the state, and shall provide: (i) the information identified in Section 19-3-305; (ii) information supported by credible studies that demonstrates that the provisions of Subsection 19-3-307(2) have been satisfied; and (iii) specific measures to mitigate the effects of high-level nuclear waste and greater than class C radioactive waste and guarantee the health and safety of the citizens of the state…

(5) The general plan may define the county’s local customs, local culture, and the components necessary for the county’s economic stability.

(6) Subject to Subsection 17-27a-403(2), the county may determine the comprehensiveness, extent, and format of the general plan.” (UC 17-27a-401)

“(2) (a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission’s recommendations for the following plan elements:

(i) a land use element that: (A) designates the long-term goals and the proposed extent, general distribution, and location of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate; and (B) may include a statement of the
projections for and standards of population density and building intensity recommended for the various land use categories covered by the plan;

(ii) a transportation and traffic circulation element consisting of the general location and extent of existing and proposed freeways, arterial and collector streets, mass transit, and any other modes of transportation that the planning commission considers appropriate, all correlated with the population projections and the proposed land use element of the general plan;

(iii) a plan for the development of additional moderate income housing within the unincorporated area of the county or the mountainous planning district, and a plan to provide a realistic opportunity to meet the need for additional moderate income housing; and

(iv) before May 1, 2017, a resource management plan detailing the findings, objectives, and policies required by Subsection 17-27a-401(3).

(b) In drafting the moderate income housing element, the planning commission: (i) shall consider the Legislature’s determination that counties should facilitate a reasonable opportunity for a variety of housing, including moderate income housing: (A) to meet the needs of people desiring to live there; and (B) to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life; and (ii) shall include an analysis of why the recommended means, techniques, or combination of means and techniques provide a realistic opportunity for the development of moderate income housing within the planning horizon, which means or techniques may include a recommendation to: (A) rezone for densities necessary to assure the production of moderate income housing; (B) facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing; (C) encourage the rehabilitation of existing uninhabitable housing stock into moderate income housing; (D) consider county general fund subsidies to waive construction related fees that are otherwise generally imposed by the county; (E) consider utilization of state or federal funds or tax incentives to promote the construction of moderate income housing; (F) consider utilization of programs offered by the Utah Housing Corporation within that agency’s funding capacity; and (G) consider utilization of affordable housing programs administered by the Department of Workforce Services.

(c) In drafting the land use element, the planning commission shall: (i) identify and consider each agriculture protection area within the unincorporated area of the county or mountainous planning district; and (ii) avoid proposing a use of land within an agriculture protection area that is inconsistent with or detrimental to the use of the land for agriculture.

(3) The proposed general plan may include:

(a) an environmental element that addresses: (i) to the extent not covered by the county’s resource management plan, the protection, conservation, development, and use of natural resources, including the quality of air, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources; and (ii) the reclamation of land, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas, the prevention, control, and correction of the erosion of soils, protection of watersheds and wetlands, and the mapping of known geologic hazards;
(b) a public services and facilities element showing general plans for sewage, water, waste disposal, drainage, public utilities, rights-of-way, easements, and facilities for them, police and fire protection, and other public services;

(c) a rehabilitation, redevelopment, and conservation element consisting of plans and programs for: (i) historic preservation; (ii) the diminution or elimination of blight; and (iii) redevelopment of land, including housing sites, business and industrial sites, and public building sites;

(d) an economic element composed of appropriate studies and forecasts, as well as an economic development plan, which may include review of existing and projected county revenue and expenditures, revenue sources, identification of basic and secondary industry, primary and secondary market areas, employment, and retail sales activity;

(e) recommendations for implementing all or any portion of the general plan, including the use of land use ordinances, capital improvement plans, community development and promotion, and any other appropriate action;

(f) provisions addressing any of the matters listed in Subsection 17-27a-401(2) or (3)(a)(i); and

(g) any other element the county considers appropriate.” (UC 17-27a-403)

Municipalities: “(2) The general plan may provide for:

(a) health, general welfare, safety, energy conservation, transportation, prosperity, civic activities, aesthetics, and recreational, educational, and cultural opportunities;

(b) the reduction of the waste of physical, financial, or human resources that result from either excessive congestion or excessive scattering of population;

(c) the efficient and economical use, conservation, and production of the supply of: (i) food and water; and (ii) drainage, sanitary, and other facilities and resources;

(d) the use of energy conservation and solar and renewable energy resources;

(e) the protection of urban development;

(f) if the municipality is a town, the protection or promotion of moderate income housing;

(g) the protection and promotion of air quality;

(h) historic preservation;

(i) identifying future uses of land that are likely to require an expansion or significant modification of services or facilities provided by each affected entity; and

(j) an official map.” (UC 10-9a-401)

“(a) At a minimum, the proposed general plan, with the accompanying maps, charts, and descriptive and explanatory matter, shall include the planning commission’s recommendations for the following plan elements:

(i) a land use element that: (A) designates the long-term goals and the proposed extent, general distribution, and location of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate; and (B) may include a statement of the projections for and standards of population density and building intensity recommended for the various land use categories covered by the plan;

(ii) a transportation and traffic circulation element consisting of the general location and extent of existing and proposed freeways, arterial and collector streets, mass transit, and any other modes of transportation that the planning commission considers appropriate,
all correlated with the population projections and the proposed land use element of the
general plan; and

(iii) for a municipality described in Subsection 10-9a-401(3)(b), a plan that provides a
realistic opportunity to meet the need for additional moderate income housing.

(b) In drafting the moderate income housing element, the planning commission: (i) shall
consider the Legislature’s determination that municipalities shall facilitate a reasonable
opportunity for a variety of housing, including moderate income housing; (A) to meet
the needs of people desiring to live in the community; and (B) to allow persons with
moderate incomes to benefit from and fully participate in all aspects of neighborhood
and community life; and (ii) for a town, may include, and for other municipalities, shall
include, an analysis of why the recommended means, techniques, or combination of
means and techniques provide a realistic opportunity for the development of moderate
income housing within the next five years, which means or techniques may include a
recommendation to: (A) rezone for densities necessary to assure the production of
moderate income housing; (B) facilitate the rehabilitation or expansion of infrastructure
that will encourage the construction of moderate income housing; (C) encourage the
rehabilitation of existing uninhabitable housing stock into moderate income housing; (D)
consider general fund subsidies to waive construction related fees that are otherwise
generally imposed by the city; (E) consider utilization of state or federal funds or tax
incentives to promote the construction of moderate income housing; (F) consider
utilization of programs offered by the Utah Housing Corporation within that agency’s
funding capacity; (G) consider utilization of affordable housing programs administered
by the Department of Workforce Services; and (H) consider utilization of programs
administered by an association of governments established by an interlocal agreement
under Title 11, Chapter 13, Interlocal Cooperation Act.

(c) In drafting the land use element, the planning commission shall: (i) identify and
consider each agriculture protection area within the municipality; and (ii) avoid
proposing a use of land within an agriculture protection area that is inconsistent with or
detrimental to the use of the land for agriculture.

(3) The proposed general plan may include:

(a) an environmental element that addresses: (i) the protection, conservation,
development, and use of natural resources, including the quality of air, forests, soils,
rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources;
and (ii) the reclamation of land, flood control, prevention and control of the pollution of
streams and other waters, regulation of the use of land on hillsides, stream channels and
other environmentally sensitive areas, the prevention, control, and correction of the
erosion of soils, protection of watersheds and wetlands, and the mapping of known
geologic hazards;

(b) a public services and facilities element showing general plans for sewage, water,
water disposal, drainage, public utilities, rights-of-way, easements, and facilities for them,
police and fire protection, and other public services;

(c) a rehabilitation, redevelopment, and conservation element consisting of plans and
programs for: (i) historic preservation; (ii) the diminution or elimination of blight; and (iii)
redevelopment of land, including housing sites, business and industrial sites, and public
building sites;

(d) an economic element composed of appropriate studies and forecasts, as well as an
economic development plan, which may include review of existing and projected
municipal revenue and expenditures, revenue sources, identification of basic and
secondary industry, primary and secondary market areas, employment, and retail sales activity;
(e) recommendations for implementing all or any portion of the general plan, including the use of land use ordinances, capital improvement plans, community development and promotion, and any other appropriate action;
(f) provisions addressing any of the matters listed in Subsection 10-9a-401(2) or (3); and
(g) any other element the municipality considers appropriate.” (UC 10-9a-403(2))

III. STATE NATURAL HAZARDS LEGISLATION

Hazard Statute Citation
The code citation is to the specific paragraph or subsection that mentions or requires hazardous areas or natural hazards as a plan element, whether required or optional.

<table>
<thead>
<tr>
<th>Finding</th>
<th>UC 17-27a-403(3)(a)(ii) (county); UC 10-9a-403(3)(a)(ii) (municipal)</th>
</tr>
</thead>
</table>
| Comment/Statute          | Counties: (3) The proposed general plan may include: an environmental element that addresses:…(ii) the reclamation of land, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas, the prevention, control, and correction of the erosion of soils, protection of watersheds and wetlands, and the mapping of known geologic hazards…” (UC 17-27a-403(3)(a)(ii))
|                          | Municipalities: “The proposed general plan may include: (a) an environmental element that addresses:…(ii) the reclamation of land, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas, the prevention, control, and correction of the erosion of soils, protection of watersheds and wetlands, and the mapping of known geologic hazards…” (UC 10-9a-403(3)(a)(ii)) |

Which Jurisdictions Must/May Plan for Hazards?
This question refers to jurisdictions affected by requirements to plan for hazards or those that are simply granted authority to do so. As definitions of these entities vary with state law, individual state laws must be consulted for the precise meaning of the term in each case.

<table>
<thead>
<tr>
<th>Finding</th>
<th>Counties, Municipalities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comment/Statute</td>
<td>None</td>
</tr>
</tbody>
</table>

Is Hazards Element Mandatory?
The question is whether a natural hazards element is specifically required as part of the local comprehensive plan. Generally, it stands to reason that, if the state does not require a plan, it also does not require a hazards element, but it is possible for a state to require such an element if the community develops a plan in the first place.

<table>
<thead>
<tr>
<th>Finding</th>
<th>No</th>
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</thead>
<tbody>
<tr>
<td>Comment/Statute</td>
<td>Hazards are addressed as a component of an optional environmental element.</td>
</tr>
</tbody>
</table>
**Is There a Discrete Element on Hazards?**

The issue addressed in this question is whether the element addressing natural hazards in the local comprehensive plan, whether optional or required, is spelled out as a separate element from all others, or whether natural hazards are simply incorporated as a consideration in some other element, such as a land use or environmental element. The element need not be labeled “hazards,” but the contents of the element must clearly be focused on one or more natural hazards, ideally including mitigation in some form.

<table>
<thead>
<tr>
<th>Finding</th>
<th>No</th>
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</thead>
<tbody>
<tr>
<td>Comment/Statute</td>
<td>Hazards are addressed as a component of an optional environmental element.</td>
</tr>
</tbody>
</table>

**Geographic Coverage of Natural Hazards Element Requirements**

This describes the geographic extent of any requirements concerning the inclusion of a natural hazards element in local comprehensive plans. Due to the nature of some hazards, some states specify limited areas in which the requirements apply, such as coastal or mountainous areas.

<table>
<thead>
<tr>
<th>Finding</th>
<th>All</th>
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</thead>
<tbody>
<tr>
<td>Comment/Statute</td>
<td>None</td>
</tr>
</tbody>
</table>

**Which Hazards Are Specified?**

Planning statutes can either require or specify a natural hazards element generally, without identifying the particular hazards that must be addressed, or they can specify particular hazards that must be addressed in the element. This question indicates those cases where the statutes specify particular hazards that the comprehensive plan must address.

<table>
<thead>
<tr>
<th>Finding</th>
<th>Flooding, Geologic hazards generally, Slope and soil stability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comment/Statute</td>
<td>“The reclamation of land, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land on hillsides, stream channels and other environmentally sensitive areas, the prevention, control, and correction of the erosion of soils, protection of watersheds and wetlands, and the mapping of known geologic hazards…” (UC 17-27a-403(3)(a)(ii))</td>
</tr>
</tbody>
</table>

**Is post disaster recovery addressed in local comprehensive plans?**

This question is related to the requirement of a plan (though exceedingly rare) for post-disaster recovery as part of the hazard mitigation plan in local comprehensive plan.

<table>
<thead>
<tr>
<th>Finding</th>
<th>No</th>
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<tbody>
<tr>
<td>Comment/Statute</td>
<td>None</td>
</tr>
</tbody>
</table>

**Are there Any Other Hazards-Related Comprehensive Land-Use Planning Requirements in Place?**

This question captures the presence of other types of state-level plans addressing hazards through land use such as Coastal management plan, Post disaster recovery plan, Hazard mitigation plan, Land use plan, Comprehensive plan, Flood management plan, and Wildland urban interface plan.

<table>
<thead>
<tr>
<th>Finding</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comment/Statute</td>
<td>As of 2017, the Forestry, Fire, and State Lands title requires counties and municipalities to address wildfire risk (UC 65A-8-202), but no specific planning actions are mentioned (though entering into a cooperative fire protection agreement requires a wildfire ordinance (UC 65A-8-203)).</td>
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**Is integration of hazards planning required across plans?**
This question aims to capture legislation aimed at encouraging or requiring integration of hazards planning across plans, for example, local hazard mitigation plan, hazard-related element of comprehensive plan, etc.

<table>
<thead>
<tr>
<th>Finding</th>
<th>No</th>
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</thead>
<tbody>
<tr>
<td>Comment/Statute</td>
<td>None</td>
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</tbody>
</table>

**Discrete Climate Change Element?**
The issue addressed in this question is whether the element addressing climate change in the local comprehensive plan, whether optional or required, is spelled out as a separate element from all others.

<table>
<thead>
<tr>
<th>Finding</th>
<th>No</th>
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<tbody>
<tr>
<td>Comment/Statute</td>
<td>None</td>
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</table>

**Is climate change incorporated in other elements?**
This question relates to legislation aimed at encouraging or requiring comprehensive plans to address climate change in some manner. This may include consequences for adaptation, exacerbation of existing hazards, and other questions that are a realistic outgrowth of regional climate change projections.

<table>
<thead>
<tr>
<th>Finding</th>
<th>No</th>
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<tbody>
<tr>
<td>Comment/Statute</td>
<td>None</td>
</tr>
</tbody>
</table>

**Resiliency of local communities addressed?**
Legislation aimed at enhancing the resilience of local communities through the comprehensive plan, which may include either or both of these factors - climate change or integration of hazards planning across plans.

<table>
<thead>
<tr>
<th>Finding</th>
<th>No</th>
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<tbody>
<tr>
<td>Comment/Statute</td>
<td>None</td>
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</table>

**Are floodplain management laws required or suggested?**
This question relates to legislations related to floodplain management such as No Adverse Impact Standards, restriction of construction/development in floodplain areas, etc. included in the code.

<table>
<thead>
<tr>
<th>Finding</th>
<th>Suggested</th>
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<tbody>
<tr>
<td>Comment/Statute</td>
<td>Floodplain zoning is listed as something municipalities and counties &quot;may&quot; adopt. Counties: &quot;A county may enact an ordinance regulating land use and development in a flood plain or potential geologic hazard area to: (i) protect life; and (ii) prevent: (A) the substantial loss of real property; or (B) substantial damage to real property.&quot; (UC 17-27a-505(1)(c))</td>
</tr>
</tbody>
</table>
Municipalities: “A county may enact an ordinance regulating land use and development in a flood plain or potential geologic hazard area to: (i) protect life; and (ii) prevent: (A) the substantial loss of real property; or (B) substantial damage to real property.” (UC 10-9a-505(1)(c))

**Which International Code Council (ICC) building codes are mandated?**

This question captures whether the state mandates the International Building Code (IBC), International Residential Code (IRC), International Existing Building Code (IEBC), and/or International Wildland-Urban Interface Code (IWUIC) building code standards, which according to FEMA (Building Science and Building Code Resources) meet or exceed minimum standards in response to flood, wind, seismic, and wildfire hazards.

<table>
<thead>
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<tbody>
<tr>
<td>Comment/Statute</td>
<td>Statutes require the adoption of the State Construction Code based on ICC codes adopted by reference. Adoption of the Utah Wildland-Urban Interface Code, which seems to be the 2006 IWUIC, is optional at the local level.</td>
</tr>
</tbody>
</table>

“(1) Subject to the other provisions of this part, the following construction codes are incorporated by reference, and together with the amendments specified in Chapter 3, Part 3, Statewide Amendments to International Plumbing Code, and Chapter 4, Local Amendments Incorporated as Part of State Construction Code, are the construction standards to be applied to building construction, alteration, remodeling, and repair, and in the regulation of building construction, alteration, remodeling, and repair in the state:

(a) the 2015 edition of the International Building Code, including Appendix J, issued by the International Code Council;

(b) the 2015 edition of the International Residential Code, issued by the International Code Council;…


(2) Consistent with Title 65A, Chapter 8, Management of Forest Lands and Fire Control, the Legislature adopts the 2006 edition of the Utah Wildland Urban Interface Code, issued by the International Code Council, with the alternatives or amendments approved by the Utah Division of Forestry, as a construction code that may be adopted by a local compliance agency by local ordinance or other similar action as a local amendment to the codes listed in this section.” (UC 15A-2-103).
Project Description:
The American Planning Association is improving upon past efforts to survey state land-use and natural hazard planning laws.

From 2002 to 2010, APA maintained a comparative database of state planning legislation that included map data, identification codes, and relevant updates intended to survey state laws on planning for natural hazards. This work examined the relationship between comprehensive plans and local zoning ordinances in the context of natural hazards planning. This project expounds upon existing criteria by incorporating the following inquiries into the survey:

- Legislation or programs that encourage or require the incorporation of hazard planning principles into plans.
- Legislation or programs that encourage or require that plans address climate change/climate science in some way; e.g. plans that acknowledge the consequences of climate adaptation or exacerbation of existing hazards.
- Legislation or programs aimed at assessing or enhancing the hazard resiliency of local communities.
- States that enforce exemplary building code standards that go above and beyond minimum standards in response to flood or wind hazards.
- Legislation or programs that instate floodplain management laws; e.g., "No Adverse Impact" policies which disallow the development actions of a single property owner to increase the flood damage risk to another.

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Legal Disclaimer:
The information provided here is for planning purposes only. It should not be considered or use as legal advice. Please be aware that the statutes might have been amended, rescinded, or newly adopted since the publication of this information.

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