

Box Elder County Land Use Management & Development Code

Article 1: General Provisions

Chapter 1-2 – Planning Documents

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1-2-010. Purpose.

The purpose of this Chapter is to identify planning documents which provide the policy foundation for this Code and to set forth the basis for preparing and adopting such planning documents.

1-2-020. Definitions.

Certain words and phrases in this Chapter are defined in Chapter 1-3 of this Code.

1-2-030. General Plan.

- A. Purpose.** In order to accomplish the purposes set forth in Section 1-1-030 of this Code and to comply with provisions of *Utah Code Ann. §17-27a-401, et seq.*, regarding general plans, the County has prepared and adopted a comprehensive, long range general plan for present and future needs of the County, and for growth and development of all or any part of land within the unincorporated portions of the County. Such plan shall be known and referred to as the Box Elder County General Plan. The County may amend the General Plan as may be necessary and appropriate. The General Plan may provide for:
1. Health, general welfare, safety, energy conservation, transportation, prosperity, civic activities, aesthetics, and recreational, educational, and cultural opportunities;
 2. Reduction of the waste of physical, financial, or human resources that result from either excessive congestion or excessive scattering of population;
 3. Efficient and economical use, conservation, and production of the supply of food and water, and drainage, sanitary, and other facilities and resources;
 4. Use of energy conservation and solar and renewable energy resources;
 5. Protection of urban development;

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6. Protection and promotion of air quality;
7. Historic preservation; and
8. An official map, as provided in *Utah Code Ann. §72-5-401, et seq.*, as amended.

B. Scope. The General Plan shall show the County's recommendations for development of the territory covered by the Plan, and may consist of text, maps, plats, charts, and descriptive and explanatory matter. The County Commission shall determine the comprehensiveness, extent, and format of the General Plan.

1. The General Plan **shall include** a land use element, transportation element and a plan for moderate income housing as required by *Utah Code Ann. §17-27a-403(2)(a)(iii) and (b), as amended*.
 - a. A land use element that:
 - 1) Designates the proposed general distribution and location and extent of uses 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
 - 2) May include a statement of the standards of population density and building intensity recommended for the various land use categories covered by the plan;
 - b. A transportation and circulation element consisting of the general location and extent of existing and proposed freeways, arterial and collector streets, mass transit, an Access Management Plan, and any other modes of transportation that are appropriate, all correlated with the land use element of the plan.
 - c. An estimate of the need for the development of additional moderate income housing within the unincorporated area of the county, and 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.
2. The General Plan **may include**, among other things:
 - a. An environmental element that addresses:
 - 1) The protection, conservation, development, and use of natural resources, including the quality of air, forests, soils, rivers and other waters, wildlife, minerals, and other natural resources; and
 - 2) 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

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- 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, waste disposal, drainage, local utilities, rights-of-way, easements, and facilities for them, police and fire protection, and other public services;
 - c. An economic element composed of appropriate studies and an economic development plan that may include review of municipal revenue and expenditures, revenue sources, identification of base industry, primary and secondary market areas, employment, and retail sales activity;
 - d. A parks, trails, and open space element that establishes a comprehensive plan for the development of parks and trails, and preservation of open space;
 - e. Recommendations for implementing the General Plan, including the use of zoning and subdivision regulations, capital improvement plans, and other appropriate actions; and
 - f. Any other elements the County considers appropriate.
- C. Legal Status.** The General Plan shall be considered only as an advisory guide for growth and development of the land except as may be specifically provided otherwise in this Code.
- D. Public Uses to Conform.** After the County Commission has adopted a general plan, no street, park, or other public way, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, may be constructed or authorized until and unless it conforms to the current general plan.
- E. Amendment.** The General Plan may be amended as provided in Section 2-2-070 of this Code.

1-2-040. Official Map.

- A. Adoption.** An Official Map, adopted as part of the General Plan, shows existing and proposed roads at various right-of-way widths. The Master Street Plan shall serve as the basis for any official map adopted pursuant to *Utah Code Ann. §72-5-401, et seq. and 17-27a-407 as amended.*
- B. Effect of Official Map.**
- 1. An official map does not:

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- a. Require a landowner to dedicate and construct a street as a condition of development approval, except under circumstances set forth in subsection (2) below; or
 - b. Require the County to immediately acquire property it has designated for eventual use as a public street.
2. This subsection shall not prohibit the County from:
 - a. Requiring a landowner to take into account proposed streets in planning a development proposal;
 - b. Acquiring property through purchase, gift, voluntary dedication, or eminent domain; or
 - c. Requiring the dedication and improvement of a street if the street is found necessary by the County because of a proposed development.
 3. The adopted official map shall be available for public inspection upon request.
 4. The official map of the County shall not be used to unconstitutionally prohibit the development of property designated for eventual use as a public street.

1-2-050. Capital Facilities Plan.

- A. **Plan Adoption.** The County may adopt a capital facilities plan as provided in *Utah Code Ann. §11-36-201, et seq.*, as amended.
- B. **Capital Facilities Availability.** In the event a capital facilities plan is adopted, and capital facilities, as defined in such plan, are unavailable or inadequate to serve a proposed development project subject to the requirements of this Code, the capital facilities plan shall be used as a guide to determine when needed capital facilities may become available.