

# **Millard County General Plan**

## **Land Use Element**

### **County Goals, Objectives and Implementation Strategies**

#### **Land Use**

Millard County residents enjoy the “quality of life” available within the area. Existing land use ordinances allow a variety of development options and a mix of urban and rural lifestyles. Larger communities within the County provide residents with excellent medical, recreational and educational services; smaller communities maintain a “rural atmosphere and lifestyle”. Millard County also enjoys a diverse economic profile that includes a mix of commercial, industrial and agricultural land uses.

Millard County encourages orderly residential, commercial, industrial, agricultural and recreational growth and development and will continue to identify areas within the County appropriate for these uses. Development will be allowed to continue in a responsible manner and in locations that contribute to the economic and social well-being of County residents. Millard County planning personnel will work with communities, as necessary, to coordinate planning activities and address land uses along jurisdictional boundaries. In order to maintain its rural atmosphere and ensure that adequate services can be provided to County residents, the County will encourage growth to take place within or adjacent to existing communities.

As development in rural Utah continues, Millard County will receive additional pressure. To ensure that future growth enhances rather than detracts from the County’s character, it is important that County land use priorities and objectives are clearly identified. In this effort, the County will maintain a county-wide land use plan and zoning ordinance. These plans and ordinances will reflect resident preferences and be revised as necessary, in a timely manner, to address emerging issues and challenges. All adopted regulations will be consistently enforced.

The Millard County Commission, Planning Commission and planning staff will make land use and development decisions according to the following objectives:

- maintaining the current quantity and quality of public services and facilities through balancing growth and development with facility/service capacity e.g. water, sewer, waste disposal, transportation and roads, law enforcement, emergency services;
- protecting rural, agricultural, mineral, wildlife and other County interests; and
- balancing private property rights with community interests.

Under the direction of the County Commission, the Millard County Planning Commission and planning staff will address these issues and propose the appropriate revisions and amendments to the existing County land-use ordinances.

#### **Administrative Review Procedure for Takings Claims**

The County acknowledges that private property rights may be affected by County land use and development objectives. It is in the County’s interest to address these situations in a cooperative manner through a formal administrative review process. The procedure will require that any person seeking a takings claim must submit the claim to the County

before seeking judicial relief. The claim shall include such information as a description of the property, the price paid for the property, the current value and uses allowed on the property, the investments made by the current property owner on the property and other relevant information as requested by the County. The County Commission shall be the appellate body. They may appoint a hearing officer to collect information and make recommendations.

## **County Land Use Recommendations**

Specific recommendations for residential, commercial, industrial and agricultural land uses follow.

### **Residential Land Uses**

Citizens feel that County land use regulations should allow residents to live in the type of setting they desire. The County's urban centers, communities and unincorporated areas provide a variety of densities and services. Residents feel that residential development should be located in areas that complement other County interests. Examples include developing on marginal, rather than prime agricultural ground and locating development away from sensitive areas. Due to its limited ability to provide municipal services, the County encourages development to take place within or adjacent to existing communities.

### **Commercial Land Uses**

The County recognizes the tax-base benefits that come from commercial development and will support additional development along major thoroughfares and in unincorporated communities as long as adequate services can be provided.

Millard County recognizes that most commercial development in the unincorporated areas occurs along major thoroughfares and adjacent to existing communities. In some cases, this commercial development acts as the "gateway" to these communities. In these situations, the County will work with the relevant municipality to ensure that the commercial development complements community aesthetics and design standards.

### **Industrial Land Uses**

Millard County supports the expansion of industrial land uses under the existing land use regulations. These regulations are designed to allow industrial uses along major transportation corridors and in close proximity to natural resources in a manner sensitive to the environment and adjacent land uses. Currently, hazardous waste storage facilities are not permitted within the County.

The County will also encourage the expansion of existing industries through "value-added" programs. This activity may include revising existing land use ordinances to allow related and compatible businesses to locate adjacent to each other, e.g., locating processing and packing plants adjacent to rail lines and agricultural land.

### **Agricultural Land Uses**

County residents indicate that the open, agricultural landscape contributes to the County's quality of life and sense of place. They enjoy the small-town atmosphere and lifestyle associated with this type of land use. As the County continues to grow and develop, citizens feel that agricultural land and the associated uses should be protected.

Millard County will pursue this goal with three objectives in mind:

- protecting prime agricultural land,

- maintaining the County’s rural character and lifestyle and
- protecting private property rights.

The County acknowledges that preserving prime agricultural land solely from a land use perspective ignores economic realities of agriculture profitability and product marketability. Agricultural land protection measures will be combined with agriculture-related economic development efforts. This section of the Millard County General Plan addresses preserving “the land”: the Economic Development chapter of the Plan addresses maintaining “the market”.

### **Why is agricultural land important to Millard County?**

**Quality of Life** - Millard County residents identify “quality of life” and “rural atmosphere” as the primary reasons they enjoy living in the area. Many associate the small-town “sense of place” and lifestyle with the surrounding agricultural environment. As Millard County continues to grow, it will become increasingly difficult to maintain the existing rural character unless measures are taken to preserve agricultural areas.

**State and Local Economic Contributions** - Millard County has a State-wide reputation for the quality and quantity of its agricultural products. Compared to other Utah counties, Millard ranks first in alfalfa hay production, third in total grain production (wheat, barely, oats and corn), fourth in livestock inventory (cattle), fifth in total acres planted, and fifth in total cash receipts.

On the county-level, agriculture remains a steady economic contributor. Over the past several decades, the agricultural sector has been a stabilizing force as other industries have come and gone. In 1997, agriculture and related industries accounted for over 15% of County’s employment shares.

**Wildlife Habitat** - Agricultural areas and the associated uses also benefit area wildlife. A significant amount of habitat is located on or adjacent to agricultural fields, waterways and rangelands.

### **Challenges to preserving agricultural land and the associated uses.**

Agricultural areas adjacent to communities or municipal services come under tremendous development pressure. Land prices (followed by higher appraisals and taxes) in these areas often escalate to the point where it is no longer feasible to continue farming and the property is subdivided for development. In these situations, the land is not only pulled from agricultural use but, depending on development density and design, may also lose its “open space” or “rural” qualities.

Incompatible uses within or adjacent to agricultural areas also create problems for agricultural operators. As development encroaches into agricultural areas, new residents often file nuisance complaints about odors, dust, and noise. These conflicts increase as density rises. Problems identified include trespass, vandalism, traffic congestion (moving equipment and livestock) and a general intolerance and misunderstanding of agricultural land use practices.

**Goal: Millard County will implement land use policies that allow growth to occur without compromising the area’s rural atmosphere or the ability of agricultural land to remain under production.**

More specifically, the County's agricultural land use regulations will:

- encourage the preservation of prime agricultural areas,
- separate agricultural and non-agricultural uses,
- encourage residential development to take place within or adjacent to existing communities,
- establish lot-size standards that are based on maintaining parcels of adequate size for the intended agricultural use,
- protect the right to use accepted agricultural management practices within agricultural zones,
- encourage agriculture-related economic development, and
- balance the private property rights of agricultural and non-agricultural interests.

**Objective:** *Identify and inventory all agricultural land within the County.*

**Implementation Strategies:**

- In partnership with USU Extension and the local Farm Bureau, Millard County will identify and inventory all agricultural land within the area. Once this information is complete, the County may develop a priority list on which to base formal agricultural protection measures.

Criteria used to evaluate land for "prime" agricultural land designation may include:

- distance to developing areas,
- compatibility with adjacent land uses,
- soil type and quality,
- crop type,
- irrigated/non-irrigated,
- regionally/locally significant,
- regionally/locally "unique",
- rangeland significance, and
- consistency with County and City master plans.

**Objective:** *Review (and amend as necessary), the existing County zoning ordinance and zoning map to reduce conflicts between agricultural and non-agricultural land uses.*

**Implementation Strategies:**

- Review existing zoning ordinance for incompatible zone types and incompatible permitted and conditional uses within agricultural zones.
- Revisions to existing ordinances will include:
  - Non-agricultural uses will not be "permitted" uses in agricultural zones.
  - Limited agriculture-related development will be allowed as "conditional uses".
  - The existing Millard County Dairy Confinement Ordinance will be modified to include all livestock operations of significant size.

**Objective:** *Balance private property rights of agricultural and non-agricultural interests*

**Implementation Strategies:**

- Review existing zoning ordinance and zone designations for incompatible zone types and incompatible permitted and conditional uses within agricultural zones.

- Revisions to existing ordinances may include:
  - Non-agricultural uses will not be “permitted” uses in agricultural zones.
  - Limited agricultural-related development will be allowed as “conditional uses”.

**Objective:** *Establish zoning (unit/area) densities within agricultural zones at ratios adequate for the associated land use.*

**Objective:** *Require “conditional” use permits for all residential, commercial and industrial development within designated agriculture areas. Commercial and industrial land uses may be allowed within agricultural zones on a conditional basis provided that they are “agricultural based” and determined “compatible” with the adjacent agricultural land uses. “Non-agricultural” development will be encouraged to locate in more appropriate zones.*

**Implementation Strategies:**

- Maintain the existing County policy that designates commercial and industrial development within agricultural zones as a “conditional” use.
- Identify industrial uses compatible and related to agricultural land uses.
- Develop “prime” and “marginal” agricultural ground criteria. Determine development siting on a case-by-case basis.

**Objective:** *Encourage cluster-type development based on unit/acre densities.*

**Implementation Strategies:**

- Develop “prime” and “marginal” agricultural ground criteria. Prepare maps indicating same. Determine development siting on a case-by-case basis.
- Review existing planned unit development (PUD) ordinance to ensure maximum design flexibility.

**Objective:** *Encourage residential development to take place within or adjacent to existing communities.*

**Implementation Strategies:**

- Zone areas outside incorporated areas at lower densities.
- Maintain the existing County policy that designates residential development within agricultural zones as a “conditional” use. Development conditions include a written statement acknowledging that the proposed building site is located in an agricultural zone and that occupants are willing to accept the sights, sounds, smells and work hours associated with agricultural land uses.
- Require adequate services be available.
- Coordinate annexation and incorporation activities with unincorporated communities as necessary.

**Objective:** *Continue to support owner designated “agriculture protection areas”.*

**Implementation Strategies:**

- Continue to support property owner-initiated “agriculture protection areas” as outlined in the Utah Code.

**Objective:** *Support the right to use accepted agricultural management practices within agricultural zones and agricultural protection areas (APAs).*

**Implementation Strategies:**

- Encourage property owner-initiated agricultural protection areas (APAs) as outlined in the Utah Code.
- Maintain the existing County policy that designates residential development within agricultural zones as a “conditional” use. Development conditions include a written statement acknowledging that the proposed building site is located in an agricultural zone and that occupants are willing to accept the sights, sounds, smells and work hours associated with agricultural land uses.

**Objective:** *Encourage agriculture-related economic development*

**Implementation Strategies:**

- Coordinate efforts with the Economic Development Department to explore additional “value-added” markets.
- Allow ag-related commercial and industrial development to occur in agricultural zones as “conditional” uses.