

Chapter 2

Agricultural Industries & Lands & Orderly Growth Plan

Elements in the Sevier County General Plan

As noted in Chapter 1, the Sevier County Commission and Planning Commission selected the major elements to be included in the Sevier County General Plan. After a series of meetings over several months, Planning Commission sub-committees issued recommendations and formulated policies related to General Plan elements.

These recommendations and policies are summarized in this or other chapters of the General Plan. Land Use Policy Recommendations related to agriculture and orderly growth are included in this chapter. This chapter also contains a summary of Rural Design and Zoning Principles that are favored by the Sevier County Planning Commission and General Plan Committees.

Recommendations and policies related to culture, economic development, education, housing, human services, infrastructure, public facilities, recreation, transportation, tourism, public lands, water and natural resources are found in the other chapters pertaining to those elements.

Critical Lands and Open Space

Open space, as defined by the Utah Critical Lands Conservation Committee, includes “lands intended to conserve and protect valuable natural features or processes and often is described by the natural features it conserves or the purpose it serves as it relates to a place, setting, community, purpose, and value.”¹

In keeping with the Utah Critical Land Conservation Committee’s recommendations, selected lands within Sevier County are identified as being critical and important as agricultural or sensitive lands. Such lands include wetlands, watershed, wildlife habitat and recreational lands. Critical lands may also include lands necessary for the preservation of agricultural production and the cultural heritage of Sevier County residents.

Agricultural Industries and Lands

Agricultural lands and related agricultural industries are vital to the economy and predominantly rural environment in Sevier County. Agricultural industries and lands provide some 1,500 jobs for

¹*Utah Critical Land Conservation Committee: Land Conservation in Utah: Tools, Techniques, and Initiatives. Governor’s Office of Planning and Budget; Second Printing, January 28, 1997. Pages 2-3.*

residents and contribute approximately 36 million dollars annually to the Sevier Valley economy.

Sevier County has 406 farms, which encompass a total of 158,200 acres. Approximately 33,000 of these acres are irrigated and 31,130 acres are harvested croplands. Cattle ranching and feed crops such as barley, corn for silage, oats and hay account for the majority of agricultural cash receipts in Sevier County.

As of January 1996, Sevier County had the fourth largest inventory of cattle and calves in Utah with a total of 60,000 head.² Feedlot operations which fatten beef cattle for market, dairying, horse raising, sheep and turkey ranching and auctioneering also contribute significantly to Sevier County's agricultural industry.



²Utah Department of Agriculture Annual Report, 1996, Pages 110-112, 135.

A number of ecological factors affect and influence agricultural lands in Sevier County. Although the semi-arid climate is moderate, the average annual precipitation is only 8.57 inches. The growing season is also relatively short, typically extending only from mid-May through late September

Highly variant soil classifications, drainage, groundwater levels, mineral content, and topographical conditions are also important factors, which affect agricultural operations in the County. All agricultural croplands in Sevier County require irrigation. Although sprinkling systems are utilized on some agricultural lands, flood irrigation is still the predominant method of application

Most of the irrigation water originates in the Upper Sevier River Basin drainage system. Recharge to the valley-fill aquifers is mostly by seepage from surface-water sources. Discharge from the valley-fill aquifer to the Sevier River through Panguitch Valley is about 53,570 acre-feet per year.³

These waters, combined with inflow from the East Fork of the Sevier River drainage and the Clear Creek tributary, are the genesis surface and ground waters for the central Sevier Valley, in total approximately 205,000 acre-feet per year.

³State of Utah Department of Natural Resources: Ground-Water Hydrology of the Upper Sevier River Basin, South Central Utah, and Simulation of Ground-Water Flow in the Valley-Fill Aquifer in Panguitch Valley; by Susan A. Thiros and William C. Brothers. Prepared by the United States Geological Survey in cooperation with the Utah Department of Natural Resources. Division of Water Rights, 1993; Technical Publication No. 102, pages 1-120. et. al.

Statewide in Utah, farmers, ranchers, citizen groups, public officials and professional agriculturalists are developing and implementing strategies to preserve agricultural lands and water. Local government leaders and citizens in Sevier County are committed participants in this process.

The challenge is “to preserve a sustainable supply of high-quality, readily available, food and fiber for the citizens of Utah.”⁴ As Utah’s Commissioner of Agriculture recently noted, “Utah and American agriculture face an obstacle that cannot be solved with bigger machines or smarter science - the loss of prime farmland to urban sprawl. Utah has lost approximately 310,000 acres (400 square miles) of prime farmland, resulting in loss of locally grown food available to our citizens.”⁵

Following discussions in public meetings held over three months, the Agricultural Industries and Lands Committee⁶ determined that owners of agricultural and non-agricultural lands can protect their private property rights and promote their individual and collective interests by encouraging land use regulations for the development of all lands within Sevier County.

⁴Utah State Department of Agriculture Annual Report - 1996, page 27.

⁵ibid.

⁶Sevier County Planning Commission: Agricultural Industries and Lands Committee; Scott Johnson, Chairman. Members of the Committee: Sharon Anderson, Tim Anderson. Garn Christensen, Jim Christensen. Russell Christensen, Ivan Cowley, Kirk Harris, Gaylord Harward, Clyde Hurst, Glen Warner. Margaret Watt, Jeneal Wingelaar.

A principal objective of this General Plan is preserving Sevier County’s agricultural lands, rural lifestyle and open space. The common sentiments of agricultural land owners that seem likely to influence future growth and development in Sevier County has three predominant orientations. These are:

- (1) the County’s agricultural lands should be left fundamentally intact, remain in agricultural production and continue to provide the open space which is vital to the human environment;
- (2) population growth should occur on lands within or immediately adjacent to areas where infrastructure and services exist; and
- (3) residential dwellings, where practicable, should be constructed in low--density settings on lands having marginal agricultural value.

The Sevier County Agricultural Industries and Lands Committee formulated the following Mission Statement:

Sevier County Agriculture - Mission Statement

We acknowledge the important role of agriculture in the past, present, and future development of Sevier County. Growth should be directed and managed by laws, by methods, and by policies that protect agricultural lands and ensure the continued viability of agriculture in the County.

Findings and Recommendations

Members of the Agricultural Industries and Lands Committee issued recommendations and formulated policies pertaining to agriculture and related industries in Sevier County. These are summarized in the information that follows.

1. We seek to implement land use practices that will preserve agricultural lands in Sevier County. In general, lands proposed for residential or subdivision development shall: (a) be adjacent to and, when appropriate, annexed into the existing municipality; (b) create a 'buffer' zone or area which is consistent with a residential-agriculture density and use; (c) be subdivided into parcels that are a minimum of one half to one acre in size;
2. Residential development in the County shall be discouraged. However, if development is deemed desirable by a landowner and considered appropriate by the Sevier County Planning Commission, the size of residential parcels should increase (density should decrease) as the distance from an established community increases;
3. Traditional methods of subdividing lands within the unincorporated areas of Sevier County should be changed to be consistent with rural design principles, site specific planning and involve clustering of residential dwellings. This approach is intended to provide economy of infrastructure, an equitable tax base, open space and continuing use of agricultural lands;
4. Current requirements for building in the unincorporated areas of Sevier County should be modified. The three-acre minimum should be abandoned in favor of specific criterion for development which provides for preliminary and final site plan review, performance standards, appropriate access, frontage on a dedicated County roadway, an approved culinary water and discharge system, source of commercial electric power, economy of infrastructure and a tax base sufficient to offset the cost of providing required public safety services;
5. Residential developments adjacent to existing incorporated cities and towns, or established population centers, shall be approved only when the adjacent jurisdiction, or water company is willing to either annex or provide municipal-type services. The Sevier County Planning Commission will endeavor to work closely with each community, or entity, in the County to effect this recommendation;
6. Private property rights should be protected by, and building and development proposals should be consistent with, zoning and subdivision regulations that are intended to provide for the health, safety and general welfare of Sevier County's rural land owners and residents;
7. Established and lawful agricultural operations and uses shall protected from the complaints which may come from residents of adjacent or subsequent developments. A disclaimer affidavit, acknowledging and accepting the existing agricultural environment (such as the sights,

sounds, and smells) shall be required of all homeowners who chose to reside in new dwelling units proposed and approved for locations in the unincorporated areas of Sevier County;

8. All new residents, owners, or developers shall be advised of the location of subsurface and surface drainage systems throughout Sevier County and protect these systems from damage, encroachment and pollution;
9. Creating Agricultural Protection Areas (APA's) may help to protect existing or proposed agricultural industries and land uses. Proposals to establish Agriculture Protection Areas shall first be reviewed by the Sevier County APA Advisory Board and then be favorably recommended by the Sevier County Planning Commission before final approval is granted by the Sevier County Commission;
10. The recording of special purpose easements and restrictive covenants shall be required on all lands, especially those adjacent to a municipality or a special service district. This will help to protect established irrigation and surface drainage rights, livestock drive ways, trail ways, and rights-of-way to and through all public lands in Sevier County;
11. Established points of access to irrigation streams, drainage ditches, and existing water ways shall be designated, recognized, and, in applicable instances, recorded by new land owners, or developers, as perpetual easements;

12. Approval of each development in the unincorporated areas of Sevier County shall include the requirement to maintain established irrigation water rights-of-way and drainage ditches or canal systems.⁷
13. Each development shall also provide an approved source of culinary water and an approved waste water discharge system, neither of which shall compromise nor encroach upon existing water rights or drainage systems;
14. Set back requirements for structures and points of access on county roadways shall be protected or required, as the case may be, for all existing and future developments in the unincorporated lands of Sevier County;
15. Owners of agricultural industries and lands will increase the value of their property through appropriate planning, constructive use and by deferring to contemporary design, location and structural standards in constructing agricultural buildings;
16. City and town officials shall be encouraged to adopt annexation policy declarations or to otherwise delineate where they want their community boundaries to be in the

⁷Concern was expressed that canal and irrigation easements should be properly maintained by the canal or irrigation companies and all debris and excess dirt should be hauled away. Dirt should not be stacked higher than is required to maintain a safe bank and the easement should be no wider than is required for safe maintenance. Generally, it was suggested that easements should be no greater than 30 feet so as to not encroach on private property.

future. Having these boundaries designated will provide the County with documentation and rationale to deny development in unincorporated areas when said development does (or may) not correspond with the general plan of the adjacent municipality;

17. Conservation easements and the purchase of development rights may be useful ways of acquiring agricultural lands for a designated public purpose, for approved development or for preserving open space. These tools should be utilized, when appropriate, in Sevier County when they allow landowners to retain development, managerial or agricultural rights on their land. Negotiated percentages of the land may also be approved for residential purposes if deemed appropriate by the Planning Commission and required services are available;
18. Approving the subdivision of lands traditionally used for agricultural purposes may be desirable in some instances. Diversity of interests and needs in Sevier County suggest the desirability of adopting land use regulations which are adaptable, flexible and tailored to individual circumstances and requirements;
19. It may be advisable and preferable, in some instances and with proper site plan review, to allow more than one structure on a given parcel of land, particularly if the land is located in a marginally-productive agricultural land use area or if the owner is proposing to build multiple residential units for heirs or hired workers as a condition to keeping a family farm intact or in operation;

20. When development is planned or proposed on neighboring properties, adjacent and affected landowners shall be notified. City councils, planning commissions, irrigation companies, special services districts and citizens living on the outskirts of cities, or in the County adjacent to cities, shall be advised of proposed developments within Sevier County;

21. Sevier County has and will, in appropriate instances when a public interest is determined to be present or needs to be preserved or protected, exercise its right to change acreage requirements for residential building purposes. Those who may have and chose to exercise a vested right shall be provided notice of a 'window of opportunity' when they would be eligible to apply for a single residential building permit. The Utah Code (Title 17, Chapter 17, Section 407, Part 2, Subpart B) authorizes the county to terminate non-conforming uses. Sevier County intends to adopt a formula and notice requirements for terminating nonconforming uses (See the Sevier County Zoning Ordinance);

22. All new and restored structures in Sevier County shall meet requirements of the Uniform Codes. The County has adopted and will enforce applicable provisions of the Uniform Fire Code on all residential structures and authorized agricultural buildings. Sevier County ordinances shall also specify building materials and defensive measures for residential and ancillary structures constructed in wooded and foothill areas. No building will be approved unless fire protection is assured or until a liability

disclaimer affidavit has been filed by the owner or owners, with the Sevier County Building Department;

23. Sevier County shall: (a) prohibit the building of residential dwellings or recreational cabins on sensitive lands and water shed areas; (b) with cooperation from the County Board of Health, work with the owners or operators of feed yards, brooder coops, dairies, fish hatcheries, nurseries, veterinarians, gravel pits, stables and others to prevent point sources of pollution adjacent to streams, water drainage areas and culinary water supply systems in compliance with applicable animal waste disposal regulations; c) not allow septic tanks on lands that may degrade ground waters; and (d) encourage development within or adjacent to existing municipalities to ensure economy in providing infrastructure, services and to promote health and safety in the provision of basic public services;

- 24 It is the intent of this General Plan that sensitive lands in Sevier County, such as those having unstable soils, ground water discharge or recharge characteristics, high water tables, seismic conditions, scenic or preservable river frontage and critical bird or wildlife habitat, be classified in the Sevier County Zoning Ordinance as being unsuitable for development.

Agricultural Policies

1. In keeping with the information detailed in this and other chapters of this General Plan, **preserving agricultural**

lands, agricultural uses, critical lands⁸ and open space is of primary importance in Sevier County. In general, the intent of this policy is that no use, or proposed land use shall materially alter the current ratio of prime agricultural lands⁹ that are designated for or devoted to agricultural production within the County;

2. The recording of special purpose easements and restrictive covenants shall be required in Sevier County and encouraged in all municipalities and special service districts. This will ensure protection of agricultural trails, drive ways and rights-of-way, whether they be deeded or prescriptive through use¹⁰ **The designation of appropriate means and methods for preserving or securing rights-of-way** for agricultural purposes and irrigation, such as

⁸The *Utah Critical Land Conservation Committee* has defined critical lands to include sensitive lands, watershed, wildlife habitat and recreational lands, Critical lands also include parks, playgrounds, parkways, trail ways, lands that are necessary for the preservation of agricultural production and lands that preserve the cultural heritage of Sevier County residents. See Land Conservation in Utah: Tools, Techniques, and Initiatives. Governor's Office of Planning and Budget; Second Printing, January 28, 1997, pages 2-3.

⁹Prime agricultural lands were defined by the Planning Commission Agricultural Industries and Lands Committee as those lands that are, or could be irrigated in Sevier County. Analysis of acreage served by the 15 canal companies in Sevier County indicates this is a total of approximately 32,534.55 acres. All surface water rights were adjudicated in Judge Leroy Cox's Decree, November 30, 1936.

¹⁰All County roadways identified in Chapter 9 of this General Plan, including all roadways designated on the Sevier County Roadway Map in the County Clerks Office, or Road Department Office, are to be regarded as agricultural trails, drive ways and rights-of-way.

establishing set back requirements, identifying points of access, requiring restrictive covenants or other acceptable means and methods, **shall be required as a condition to developing land in Sevier County. Sevier County shall not accept responsibility for preserving or securing rights-of-way or easements on private property;**

3. **Joint and cooperative preliminary site plan review of a proposed agricultural, commercial or residential use in unincorporated areas, shall be encouraged by Sevier County and involve officials representing any affected municipality, irrigation company or special services district.** Such review is intended to create, or to designate, an alternative and compatible use, or a buffer-type area, between a **proposed use** and an **established use** located within, or adjacent to, a given community. Said review **shall be required before any structure, subdivision of land or change of land use may be approved on unincorporated land in Sevier County;**

4. **Owners or residents of adjacent and affected lands, particularly agricultural stewards, shall be notified when development is planned or proposed on neighboring properties.** Citizens living within cities or in county areas adjacent to incorporated municipalities, including **city councils, planning commissions, and irrigation companies nearest in proximity, shall be notified of and be encouraged to provide input related to, proposed land use changes or development in Sevier County;**

5. **Subdividing lands traditionally used for farming or ranching may be desirable in some circumstances. This would include and is intended to promote, for example, orderly development on farm land adjacent to existing communities, or within an established population center, or if the owner is proposing to build multiple residential units for heirs or hired workers as a condition to keeping a family farm intact.**

In appropriate instances and after preliminary site plan review, it may be preferable to allow more than one residential structure on a given parcel of land, particularly if the **need or purpose is well defined; if the land is suitable for development** (i.e. the subject parcel has no geotechnical limitations or potential hazards); if **the proposal provides sufficient acreage to permit concurrent farming and other compatible uses;** and the proposed use meets other land use policies and requirements.

6. The sale or purchase of **development rights** and entering into **conservation easements** are alternative methods for preserving agricultural lands and open space. **Such arrangements shall be encouraged in Sevier County, particularly when they permit negotiated percentages of the land to remain in agricultural production; when a limited amount of acreage may be developed for residential purposes; or when the intent of these Agricultural Policies is accomplished;**

7. Creating **Agriculture Protection Areas** (as authorized by U.C.A. Title 17, Chapter 41) may be a desirable approach to protecting agricultural land uses. Proposals for Agriculture Protection Areas (APA's) shall first be reviewed and favorably recommended by the **Sevier County APA Advisory Board, and by the Planning Commission, before final approval is granted by the Sevier County Commission;**
8. **This General Plan and the Sevier County Zoning Ordinance contain basic requirements relating to drilling and mineral extraction. In addition to these regulations, the County Commission shall establish, annually review, and impose appropriate fees that cover the costs to Sevier County for reviewing proposals, or mitigating impacts, associated with mining and drilling operations within the County;**
9. **Sevier County building and health officials shall cooperate with the State Board of Health and Division of Water Quality in monitoring feed yards, brooder coops, dairies and other agricultural or commercial activities, to prevent point sources of pollution to streams and water drainage; and not allow septic tanks on lands that may potentially degrade or pollute ground waters in the county.**

Rural Design and Zoning Principles

1. **Impact is more important than use.** Sevier County land use regulations permit a wide variety of uses with impact

criteria to assist the Planning Commission in determining whether to allow a use in a particular location. This maintains the rural tradition that landowners have flexibility in land use as long as they do not negatively affect their immediate neighbors in particular or the County in general.

2. **Density is more important than lot size.** Although low densities are appropriate outside settlement centers, large minimum lot sizes consume the landscape faster than small lots. Therefore, land use controls in Sevier County separate density from lot size, allowing smaller lots as long as overall density guidelines are maintained. This is commonly accomplished through site specific design and creative clustering of lots.
3. **Design is more important than density.** The impact of development and its profitability for the landowner are not simply a "numbers game." Attractive, well-planned low-density development may be more profitable than high density, especially in rural areas. Well-planned compact village developments fit in better with historic town character than low-density sprawl. Open space protection and good site design are more important in Sevier County than rigid density requirements.
4. **The countryside should remain largely undeveloped, but not by destroying the land's economic value.** With a choice of uses, landowners in Sevier County can make a living on their land without having to sell it for residential development. County zoning regulations

provide several options that combine protection of open space with compatible development, including mixed housing types, mixed uses, and density incentives.

5. **Development in Sevier County is generally preferred in and near existing or new city or town centers**, following the traditional pattern and layout of historic pioneer villages in the County. Significantly higher densities may be allowed within these defined areas, provided that public water and sewer services are available.
6. **Development within Sevier County should satisfy illustrated design standards that maintain local community character.** In early Sevier County, most structures were built by local artisans using local materials. This provided Sevier communities with a special look and feel. That distinctiveness of place is gradually being lost to standardized forms of development found throughout suburban America. In Sevier County, it is preferred that illustrated design standards for streets, lot layout, site plans, and building maintain rural design features and traditions.
7. **Through the Sevier County Zoning and Subdivision Ordinances, the Planning and County Commissions will have written criteria that enables them to say ‘yes’ to what fits into the County and ‘no’ to what does not, while conditioning approvals to ensure that desired standards are implemented.** Instead of applying rigid use and bulk requirements, the Planning Commission

intends to adopt clear design standards and flexibility to work with applicants and neighbors in implementing design plans that fit Sevier County and communities. It is also the intent of this Plan that the Planning Commission has sufficient authority and resources to ensure that plans are properly implemented.

8. **Small-scale projects in Sevier County may need less complicated review than large-scale ones.** Elaborate review is necessary for large complex projects, but the Planning Commission does not intend to subject smaller projects to the same process. However, it is the Commission’s intent that small-scale projects meet design and performance standards.
9. **Sevier County officials want county land use regulations to be simple enough to understand, but adequate to fulfill General Plan policy objectives.** Accordingly, policy and implementing provisions of this Plan are intended to be clear, flexible, and understandable. They are intended to be strict on important design principles and performance standards but flexible on use regulations, while imposing on landowners the minimum burden necessary to achieve County goals. Illustrations, when provided, are intended to show alternative development patterns and options allowed.¹¹

¹¹Adapted from *Zoning News*, American Planning Association, written by Joel Russell, J.D., AICP. Printed in *Utah Small Cities*, Inc., Fall, 1996 News. Page 2

Sevier County General Land Use Policies

The Land Use Policies specified in this Chapter stem from the findings and recommendations of Planning Commission Subcommittees on Agriculture and Orderly Growth. As such, these **policies reflect the culture, heritage and values of Sevier County residents.**

The policies represent broad-based input, through survey research and direct communication, from **residents in all geographic areas of the county.** They mirror the attitudes, opinions, and perceptions of various ages and genders and are from **individuals and families,** including those who may either **rent or own land** within Sevier County.

The policies reflect four predominant orientations:

1. **Protection of private property rights,** including constitutional, due process and substantive rights;
2. **Preservation of the County's rural environment and lifestyle.** All land use policies were developed with deference to the historical and predominant influence of agriculture in Sevier County;
3. **Adoption of planned growth** strategies and land use regulations that encourage low density building and development within or immediately adjacent to existing cities, towns and established population centers throughout the County;

4. The adoption of **performance requirements and standards** that encourage site specific planning in keeping with Sevier County's land use characteristics and with rural design and zoning principles.

In adopting these General Plan Land Use Policies, it is the intent of County leaders and citizens to assure **that present and future development within the county pays for its resulting impacts and is congruent with local zoning regulations, building requirements, and projected municipal growth boundaries.**

Residents of the County realize that economic benefits, as well as financial, taxation, and public service equities, will stem from expansion and growth that is **consistent with Sevier County's unique heritage.** They want managed growth in County services that is proportional to population growth.

County leaders and citizens also want contemporary planning and management principles (see above) applied to land use as they look to future expansion and growth within the County.

Historically, land use patterns in Sevier County were based on low-density **clustering of residential units with farmlands maintained on the peripheral areas of established communities.** Such patterns provided safety, security and economy in infrastructure and public services. Such patterns have preserved established agricultural uses, open space and protected the physical environment, sensitive lands, wetlands and invaluable watershed areas.

Each of the 11 incorporated communities in Sevier County has **considerable undeveloped or under-developed areas within its present boundaries**. Each of the communities is experiencing growth and most, if not all, are under some pressure to extend municipal services outside their boundaries to serve residential dwellings and ancillary buildings in the unincorporated areas of the county.

Accordingly, the Sevier County Commission and Planning Commission encourage municipal leaders to adopt annexation policy declarations, or to otherwise delineate and document their desired areas for expansion and growth.

Sevier County officials **desire to work closely with city and town officials and irrigation company officers in approving land use and development proposals that** are congruent with those of established municipalities and population centers throughout the County.

Therefore, those proposing to build a residence, develop a subdivision, or change the use of land located within an unincorporated area, **shall first confer with the Sevier County Building Inspection Department to determine whether the property is (a) within the boundaries included in a municipality's intended area of extension; or (b) serviced by culinary water or electrical power.**

If either (a) or (b) applies, the owner(s) shall first present the request to prepare a feasibility report for, and obtain written approval or denial from, the subject incorporated municipality, private culinary water system or special services district. Such documentation shall

be obtained by the land owner(s) and shall be presented to Sevier County **regardless of whether the subject annexation, development or change in land use is, or is not, deemed appropriate** by the municipality's planning commission and city council, or the special services district governing board, or the private water system officers or shareholder(s).

Documented ownership of land in the county is a prerequisite to consideration by County officials of requests for changes in land use or development. Once ownership is established, Sevier County building and zoning officials shall, upon proper application and payment of required fees, assist in processing appropriate requests for changes in land use or development projects in the unincorporated areas of the county.

Those planning to develop land within Sevier County, including present and prospective owners, are required, as an initial priority, to become conversant with the land use policies adopted by this chapter. **Understanding the fundamental land use patterns, principles, priorities and policies adopted in this General Plan will facilitate development proposals and promote improved land use in Sevier County.**

The procedure for obtaining approval to change or modify land uses in the County, together with required documentation, is contained in the Sevier County Zoning Ordinance and Subdivision Ordinance.

Orderly Growth in Sevier County

Beginning in 1992, counties outside the metropolitan areas of Utah accounted for roughly one-third (32%) of Utah's total net in-migration. By 1994, more than half (55.3%) of the net in-migration was attributable to non-metropolitan counties. Utah Small Cities, Inc., has summarized and analyzed population data which indicate these trends are likely to continue over the next decade.¹²

Counties with rural characteristics, such as Juab, Millard, Sanpete, Sevier, Summit, Tooele and Wasatch County, particularly those adjacent to the Wasatch Front or in geographical centers in Utah are likely to continue experiencing the highest population growth rates over the next decade.¹³

During the decade from 1980 to 1990, the population of Sevier County increased from 14,900 to 15,400. In each of the last six years, the population of Sevier County has increased at an annual rate of approximately 2.4%. Current data indicates the County's population is approximately 17,682.¹⁴ (Also, see Chapter 4).

Multiple factors affecting and influencing land use development

¹²Small Cities Inc., Summer Bulletin, 1996.

¹³Utah Economic and Business Review: volume 55, Number I, January 1995; Page 12. Also see Figure I, Page 8.

¹⁴Utah Population Estimates Committee. Governor's Office of Planning and Budget; July. 1996 Report.

and growth in Sevier County are being discussed and evaluated by the Sevier Planning and County Commissions. Various issues pertaining to orderly growth and development were examined by the Planning Commission Committee on Orderly Growth.¹⁵ The Committee's Mission Statement and recommendations are summarized in the information that follows.

Sevier County Orderly Growth - Mission Statement

Our Mission is to manage and regulate Sevier's current and future growth in keeping with the County's unique history, established culture, and rural life style. We will also endeavor to preserve the historic culture of Sevier County with established residential dwellings in sustainable communities and agricultural lands on the peripheral areas.

Findings and Recommendations

1. Each incorporated community, or established population center in Sevier County should be encouraged to adopt a well-reasoned Annexation Policy Declaration Statement, or to otherwise designate the area(s) of intended growth. This will effectively establish desirable growth boundaries in Sevier County and reserve the options and timetables for growth to community planning commissions and city, or town, councils. Planning for and implementing County transportation systems and public utility service corridors

¹⁵Sevier County Planning Commission: Orderly Growth Committee; Roger Nielsen, Chair; Ralph Brown, Lois Christensen, Gerald Corhett, Claude Foreman, Kent King, and Millene Murphy.

will also be facilitated by designated growth boundaries;

2. As an integral part of planning for Sevier County's future, each community should complete mapping of roads and utility easements for anticipated growth. Richfield City is to be commended for having completed such mapping and planning for the city's expansion;
3. Site specific planning should be considered as the preferable way to obtain the best use of land resources in Sevier County;
4. Sevier County should adopt stringent regulations, which impose heavy fines and forfeitures on those who give false or misleading information to obtain building permits. Similar measures should penalize those who sell, purchase or develop property in the county under false or misleading premises;
5. Updated procedures for the approval of subdivisions in Sevier County need to be adopted. Community planning commissions and city councils should also be encouraged to update and coordinate subdivision approval procedures within cities and towns in the County;
6. Central issues in assuring orderly growth in Sevier County are determining how to best utilize natural resources and still maintain the established quality of life. Preserving the County's wholesome environment and rural life style should be top land use priorities;
7. We believe it is a matter of vital importance to leave options open for farmers and ranchers to continue to use their property for agricultural purposes or to sell their property. Requested changes in use should correspond with Sevier County planning and procedural guidelines;
8. A substantial percentage of Sevier County residents want commercial and industrial expansion. The committee believes it is wise to attract industry and technology that will preserve the County's established life style and supplement agricultural income;
9. The committee believes that new technologies, including state-of-the-art communications, need to be expanded in Sevier County. Modern electronic tools will provide more opportunities for County residents to utilize modern technologies and to augment commercial enterprises;
10. Experience has proven that it is not cost effective to provide residential-type services to three acre and larger parcels. Land parcels proposed for development should each be judged on its own merits and meet the County's established performance criterion. Parcels should be large (or small) enough to promote beautification, productivity and produce taxes that provide for required services;
11. Sevier County should encourage growth within rather than outside established communities. The County should adopt policies that encourage the development of existing, manageable and affordable land parcels within cities, towns and established population centers. Generally, the intent

is to discourage growth in the unincorporated area of the County;

10. Modern waste water systems and solid waste disposal methods should be carefully analyzed and considered county-wide. When economically and ecologically feasible, systems should link several communities together.
13. Generally, it does not seem advisable to extend municipal boundaries into prime agricultural lands. Appropriately addressing these and related land issues will require closer coordination and cooperation between the County and individual communities;
14. Modern, ecologically-sound methods for recycling or disposing of hazardous and solid wastes need to be developed and closely monitored. All agriculturalists, businesses, commercial establishments and residents should follow established guidelines in properly disposing of hazardous materials (i.e. used oil), animal carcasses and solid waste materials;
15. The county should adopt air quality standards that encourage the use of heat sources that release minimum amounts of pollutions into the air. Regulations pertaining to open burning need to be developed and enforced. Transportation routes should be designed to prevent congestion and the release of excessive pollutants into the Sevier County environment;

16. Careful planning between all affected jurisdictions should proceed the extension, or expansion of infrastructure in the cities, towns and unincorporated areas of Sevier County;
17. Decreasing density and carefully regulating uses of land in Sevier County will protect the existing lifestyle and promote growth that will be an asset to the County's future;
18. Careful attention shall be given to ecological conditions such as high water tables, sensitive lands, watershed areas and known fault lines before approving developments in Sevier County;
19. Sevier County Should analyze its taxation system to provide an equitable basis for taxes that requires county residents to pay for the services they receive. New growth should pay its own way;
20. Sevier county should adopt a Property Maintenance Ordinance similar to Richfield City's that will facilitate enforcement of beautification and property maintenance standards in the unincorporated areas of the County;
21. Sevier County and communities should adopt the Utah Uniform Building Standards Act to assist in properly regulating manufactured, mobile and modular homes;
22. Sevier County and local units of government should analyze building and development costs and implement

appropriate, targeted impact fees to ensure that costs associated with new developments are properly allocated.

Orderly Growth Policies

1. **Communities in Sevier County have undeveloped land with capacity to substantially increase in population without enlarging their existing borders, Accordingly, growth shall be encouraged to occur within, or on annexed lands immediately adjacent to, existing communities in the county.** Annexation of unincorporated lands, when approved by a municipality, shall be contiguous to an existing community boundary;
2. Sevier County shall require a filing of an application, favorable recommendation from the Planning Commission, and approval by the County Commission of a **Conditional Use Permit before any commercial or development-related excavation or grading work may lawfully proceed on unincorporated lands within the county;**
3. **Developing subdivisions on random parcels of land in the unincorporated areas of Sevier County is ill-advised and should not be permitted.** Empirical financial data indicate a substantial negative amount of public expenditure is required to provide basic public services to residential dwelling located in unincorporated areas and that **a substantial positive amount of taxation revenue is generated by productive agricultural lands and operations;**

4. Consistent with the Agriculture Policies outlined in this Chapter, single residential structures and well-planned subdivisions of land may be approved by Sevier County provided **each of the follow four basic conditions is met.**
 - a. (1) the parcel to be developed has **minimum frontage on an existing County (or approved access from a state) roadway as required by the Sevier County Zoning Ordinance;** or (2) a roadway is proposed, **designed and approved by a licensed professional engineer to meet public travel and year-around access standards;** and (3) the proposed **roadway is in a location the Planning Commission determines to be consistent** wit the County's Transportation Plan;
 - b. a **feasibility report** for an approved source of culinary water and a waste water discharge system which addresses all requirement of, and is approved by the **Utah Division of Water Quality** is provided to Sevier County;
 - c. a source of **commercial electric power** is provided; or a **Conditional Use Permit is recommended by the Planning Commission and approved by the County Commission for an approved alternative source of electric power;**

- d. the proposed development contains sufficient acreage, or the residential structure is located within a **Special Services District and generates sufficient revenues or property tax base to support required County services;****

- 5. In the interest of sound land use management and planning, Sevier County shall look favorable upon proposed subdivisions of land that are:**
 - a. properly designed and well-planned;**
 - b. appropriately sited and economically serviced;**
 - c. environmentally sound;**
 - d. harmonious with existing uses and**
 - e. compatible with the health, safety and general welfare of present and future Sevier County residents.**