

Davis County General Plan



February 2006

DAVIS COUNTY
RESOLUTION NO. 2006-311

A RESOLUTION APPROVING AND ADOPTING THE DAVIS COUNTY GENERAL PLAN 2006 AND AUTHORIZING THE IMPLEMENTATION OF THE GENERAL PLAN

The Board of County Commissioners of Davis County, Utah, in a regular meeting, lawful notice of which has been given, finds that the Davis County General Plan 2006 has been prepared, recommended, and presented to the Board of County Commissioners by the Davis County Planning Commission in accordance with the provisions of the *County Land Use, Development, and Management Act* ("LUDMA"), as set forth in Title 27, Chapter 27a, Part 4, *Utah Code Annotated*; that the Planning Commission has conducted a public hearing following lawful notice; that the board of County Commissioners has given notice of its intent to consider the General Plan; that the General Plan meets the requirements of LUDMA; and that the it is in the best interest of the county and its citizens that the Davis County General Plan 2006 be approved, adopted, and implemented.

THEREFORE, the Board of County Commissioners of Davis County, Utah, hereby adopts the following resolution:

BE IT RESOLVED that

Section 1. Approval of Plan

The Davis County General Plan 2006, and any subsequent authorized modifications or supplements made or added, is hereby approved and adopted as the General Plan for Davis County.

Section 2: Implementation of Plan

Implementation of the Davis General Plan 2006, under the direction of the Davis County Board of County Commissioners and the Director of the Davis County Department of Community and Economic Development, or his designees, as provided in the General Plan, is hereby authorized.

This resolution was adopted by the Davis County Board of County Commissioners on the 31st day of October, 2006.

DAVIS COUNTY BOARD OF COUNTY COMMISSIONERS

By: Carol R. Page
Carol R. Page, Chairman

ATTEST

Steve S. Rawlings
Steve S. Rawlings, Davis County Clerk/Auditor

INTRODUCTION

PREFACE

This document represents the land use portion of the General Plan for the unincorporated areas of Davis County, and meets the purpose, intent, and criteria of Utah State Code. The recommendations contained herein may be supplemented or complemented by other documents that comprise the General Plan as noted in the Supporting Documents section. This document does not modify, bind, or dictate the policies of incorporated municipalities within the County, nor does it fulfill their responsibility under State law to create and adopt a General Plan.

BACKGROUND AND PURPOSE

Davis County has the smallest land area of all of Utah's 29 counties and yet due to its location in the heart of the Wasatch Front, it has the third largest county population. All of that population is sandwiched into the buildable area between the Wasatch Mountains and the Great Salt Lake

Davis County acknowledges that the main purpose of municipalities is to provide urban services and a public voice in local affairs. The role of the County should be to coordinate and assist the municipalities in addressing issues of regional significance. The purpose of this document is to further define the role of the County as regional forum for discussion and policy making, and not as a substitute for local government.

SUPPORTING DOCUMENTS

The Davis County General Plan consists of several documents that deal with different aspects of the physical and social fabric of the County. Though these documents were prepared at different times, using different processes, together with this document they form a more complete vision for the future of the County. Some of these documents are relevant only to the unincorporated areas of the County. Others address issues that are of regional significance and make recommendations that are applicable to the cities as well as unincorporated areas. In the case of plans that are countywide in nature, representatives of all affected jurisdictions were invited and encouraged to participate in their formulation. The Davis County General Plan incorporates the following listed documents:

1. Moderate Income Housing Plan for Unincorporated Davis County

2. Davis County Shorelands Plan
3. Davis County Trails Master Plan
4. Davis County Transportation Strategic Plan
5. Davis County Comprehensive Hillside Plan
6. Mutton Hollow Township General Plan

Another document that is of some importance but deal more with the social aspects of the County is the Davis County Consolidated Plan. This plan is not incorporated as part of the General Plan, but should be noted as important reference material.

DEVELOPMENT AND URBAN SERVICES

GENERAL

Davis County supports a policy of contiguous cities within the developable lands where all development occurs within municipalities. The County recognizes that the main purpose of municipalities is to provide services and to give people a voice in local affairs. Allowing development to occur in unincorporated areas of the County defeats both of these purposes and is not in the interest of current or future citizens.

One of the main determinants of growth and development is the availability of sewer, water, and other utility services. Without ready access to such services, large scale residential and non-residential development is not likely. Consequently, the ability to control the provision of such services is a major factor in controlling growth.

Davis County does not directly provide public utility services in the unincorporated areas of the county, while most cities do provide these services within their boundaries. In the past, some utility services have been provided in unincorporated areas through the establishment of single-purpose special service districts. The major disadvantage of a special improvement district is its limited function. While providing a mechanism for sewer or water services, Davis County would be responsible for flood control, street maintenance, police and fire service, planning and zoning, and the full variety of other urban services. And since the County has no oversight into the establishment or expansion of utility services, it may find itself asked to provide urban services in areas that are not ready for development. As a result, the County Commission has taken the position that the county should not provide new urban services in unincorporated areas. Furthermore, due to substantial growth in recent years, much of the remaining

unincorporated areas of Davis County are now near the boundaries of one city or another, which further substantiates the position that there is no area of the County that should be developed unless it is first annexed into a municipality.

There may be times when existing developments in unincorporated Davis County need to upgrade services. For example, homes that are served by private wells may find that their source of water is diminishing, and public water service is needed.

In such instances, the benefit to public health and welfare may dictate the need to provide for the extension of public utilities to meet those needs. However, in the spirit of the State annexation statute, it is recommended that the adjacent municipalities be contacted first to determine if services could be better provided through annexation.

Policy

- Davis County does not provide public utility services to unincorporated areas.
- Davis County discourages the establishment or extension of special improvement districts and their utility lines for the primary purpose of opening areas for development.
- Davis County encourages that municipalities annex areas of Unincorporated County where new and/or extended services are needed.

ANNEXATION

GENERAL

Davis County consists of 630 square miles; of which 365 square miles is covered by the Great Salt Lake. With 15 incorporated cities and the smallest land area of all 29 Utah counties, Davis County has become the first county in Utah to see contiguous cities – where only small pockets of unincorporated land remain between cities (except for Antelope Island, the Great Salt Lake, and the Wasatch Mountains).

The trend toward contiguous cities in Davis County has been moving forward for a number of years. Virtually all significant development that has taken place in Davis County since the 1960's has either been within city boundaries, or has been annexed before or shortly after the development occurred.

Davis County officials have in recent years been encouraging the annexation of large development projects for several reasons:

(1) Davis County has limited ability to provide the urban services normally required in highly developed areas, such as water service, garbage pick-up, police and fire protection, road maintenance, and so on. The Davis County Commission believes that municipalities are best suited to provide urban services, therefore, development proposals are encouraged to annex into nearby cities wherever feasible.

(2) The Utah State Supreme Court, in a court case dealing with the development of property in an unincorporated area (Sandy City v. Salt Lake County, 1992) said, "The legislature clearly prefers that cities provide urban services to developing areas and has designated annexation as the means by which those services to developing areas should be extended."

In April of 2001, the Utah State Legislature adopted a new annexation statute which requires municipalities to create annexation policy plans. These plans are required to include a boundary map indicating the extent to which a city intends to annex. The statute also requires the County to contact a municipality any time a development in an unincorporated area is proposed within ½ mile of the municipality's boundary. This statute strengthens the County's position that urban services should be provided by municipalities and that the County should be a community of contiguous cities.

Policy

- Davis County encourages the annexation of all development into nearby cities.
- Davis County seeks to encourage such annexations in order to maximize urban services available to area residents.

VAL VERDA

Val Verda is the name commonly applied to the unincorporated island located south of Bountiful and east of Highway 89. Val Verda is surrounded by Bountiful on the north and east and by North Salt Lake on the south and west.

Val Verda developed in the 1950's and 60's, when city boundaries were still some distance away from the area, and the emphasis on encouraging development to go to existing cities was not strong.

In recent years, the majority of Val Verda has been annexed into Bountiful and North Salt Lake as residents have sought a closer alliance with those communities, and have sought to upgrade the urban services provided to them. However, a small section of unincorporated county remains in the vicinity of Adelaide Elementary School.

With a stated policy of encouraging future development to take place within city boundaries, Davis County does not anticipate substantial improvements or upgrades in its ability to provide urban services. Therefore, as citizens of Val Verda seek improvements in the urban services they receive, they should seek annexation into either one of the surrounding communities

Policy

- Davis County does not anticipate substantial improvements or upgrades in its ability to provide urban services in the Val Verda area. Therefore, as citizens of Val Verda seek improvements in urban services, they should petition for annexation into one of the adjacent communities. Davis County encourages the annexation of the remaining unincorporated areas near Adelaid Elementary School into Bountiful or North Salt Lake.

MUTTON HOLLOW

The Mutton Hollow Township, located between Layton and Kaysville, developed in the 1960's as a rural-residential enclave. Property owners in the area organized the Mutton Hollow Water District to provide culinary water where they were too far from either city to obtain city water. Mutton Hollow is currently a county township, created under State statute in the late 1990's.

As with Val Verda, Davis County does not anticipate substantial improvements or upgrades in its ability to provide urban services to the Township. Therefore, as citizens of Mutton Hollow seek improvements in the urban services they receive, they should seek annexation into either Layton or Kaysville.

Policy

- Davis County does not anticipate substantial improvements or upgrades in its ability to provide urban services in the Mutton Hollow area. Therefore, as citizens

Add So. Weber

of Mutton Hollow seek improvements in urban services, they should petition for annexation into one of the adjacent communities. Davis County encourages the annexation of the remaining unincorporated areas surrounding Mutton Hollow Road into Layton or Kaysville.

HOOPER

Hooper is a rural community located primarily in Weber County, with a small area spilling over into Davis County. The section of Hooper located in Weber County is now an incorporated city, which has led to the discussion of the possible annexation of the area in Davis County. Unincorporated Hooper is also bordered by West Point on the south and Clinton on the east. In concurrence with previous policy statements, the County encourages the annexation of Hooper into either of the three municipalities.

Policy

- Davis County encourages the annexation of the remaining unincorporated areas of Hooper into the neighboring communities of Hooper City, West Point, and Clinton.

AGRICULTURE

GENERAL

In 1986, the Davis County Commission formed an Agriculture Policy Advisory Commission to review the issues in Davis County relating to agriculture and to make policy recommendations. The complete report is contained in an unpublished document entitled Davis County Agricultural Committee Report, May 1986.

Following are the issues and recommendations made by the Agriculture Policy Committee which are hereby adopted as part of Davis County's Land Use and Development Policies.

AGRICULTURE AND URBAN USE CONFLICTS

Where urban development has spread out into areas that are still in use agriculturally, a number of conflicts have developed. The resolution of some of these conflicts will take concerted action on the part of County and municipal government, developers, farmers,

and neighborhood residents.

A problem which has received a lot of attention in recent years is the location of large irrigation ditches which run through or adjacent to new subdivisions. Residents are worried about young children falling into these ditches, and farmers worry about the ditches being used as garbage dumps by the subdivision residents. Davis County does not anticipate nor encourage new urban development in the Unincorporated County, however, new subdivisions within municipalities frequently abut active agricultural lands in the unincorporated areas.

Policy

- Encourage municipalities to adopt ordinances requiring all new development to either pipe irrigation ditches or provide fencing where the ditch must remain upon.

Storm water runoff is often allowed to run into irrigation ditches from adjacent subdivisions and other developments, polluting the irrigation water and, in some cases, resulting in overflow from the ditches and flooding of surrounding properties.

Policy

- Encourage municipalities to adopt ordinances preventing storm water runoff from following into irrigation ditches.
- Encourage municipalities to participate with Davis County in a storm water drainage system and management program.

Many agricultural properties are criss-crossed with field drains. The exact locations of these field drains are often not known. As agricultural properties are developed, the severing or plugging of the field drains by developers can affect adjacent properties that are still in agricultural use.

Policy

- Encourage municipalities to adopt ordinances requiring developers to locate field drains and assure that the flow and function of the drains is not impacted by development.

Where subdivisions are located directly adjacent to lands still in use for crops, there is often vandalism and theft of farm equipment and crops.

Policy

- Encourage municipalities to adopt ordinances requiring developers to provide a fence between agricultural areas and development.

AGRICULTURAL PARCELING

State law in Utah allows the division of property by an owner for agricultural purposes without complying with local subdivision regulations or seeking approval from local officials. Agricultural parcels are often created with no legal access, minimum size, or other normally required standards or improvements. It has been the experience of Davis County officials that buyers of agricultural parcels often have the misunderstanding that these parcels are building lots.

Policy

- Davis County should require all bona fide agricultural parcels be accessible from a proper right-of-way, that the parcels have access and rights to irrigation water, and that they be of a minimum size of 5 acres for agricultural viability.