

Appendix A

Amending the General Plan

The Emigration Canyon Township Community General Plan constitutes a land use policy document that was created based on the 1985 Master Plan and updated to reflect prevailing needs, the existing pattern of development, underlying zoning classifications, new zoning overlays, consideration for man-made and natural constraints, development potential, and accepted planning practices. The plan is generally valid for 5 to 10 years. Over time these variables are subject to review and change due to many circumstances including unforeseen conditions, new development trends, natural constraints and advancements in technology and information. The Plan may be periodically amended reflecting these circumstances, thus allowing the plan to remain flexible and effective.

Amendments to the plan should only be allowed to occur in the most extreme of circumstances, where careful review and consideration of an amendment request determines that a study to be conducted by the Salt Lake County Planning Division staff is necessary. The study in its determination, as well as the determination of the Planning Commission and County legislature, must indicate that circumstances have changes significant enough that an amendment is warranted.

The process for amending the Plan is the same for that of adopting it, according to Section 17-27-03 of the Utah State Code that reads:

- a) After completing a proposed general plan for all or part of the area within the county, the planning commission shall schedule and hold a public hearing on the proposed plan.
- b) The planning commission shall provide reasonable notice of the public hearing at least 14 days before the date of the hearing.
- c) After the public hearing, the planning commission may changes to the proposed general plan.
- d) The planning commission shall then forward the proposed general plan to the legislative body.
- e) The legislative body shall hold a public hearing on the proposed general plan recommended to it by the planning commission.

- f) The legislative body shall provide reasonable notice of the public hearing at least 14 days before the date of the hearing.
- g) After the public hearing, the legislative body may make any modifications to the proposed general plan that it considers appropriate.
- h) The legislative body may:
 - Adopt the proposed general plan without amendment;
 - amend the proposed general plan and adopt or reject it as amended; or
 - reject the proposed general plan.
- i) The general plan is an advisory guide for land use decisions.
- j) The legislative body may adopt an ordinance mandating compliance with the general plan.

In addition to the state code which sets forth the procedures for the adoption and amendment of general plans, the Salt Lake County Zoning Ordinance sets forth the procedure for submitting an application to amend the general plan. Chapter 19.90.070 reads as follows:

19.90.070 Application to amend the master plan.

Subject to the restrictions in Subsection 19.90.080 and 19.90.090, any property owner or authorized agent thereof may file an application requesting that the planning commission hear an amendment to the county master plan. Such application shall include the reasons or basis upon which the property owner believes the county master plan should be amended. The planning commission shall consider an application to amend the county master plan only if it first determines that there has been a change of circumstances or other sufficient reasons to justify consideration of an amendment to the county master plan. A decision by the planning commission not to consider an amendment to the county master plan may be appealed to the board of county commissioners pursuant to the procedures set forth in Section 19.90.040. Amendments to the county master plan shall comply with the procedures set forth in Chapter 27 of Title 17 of the state code. (Ord. 1152 § 2, 1991)

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