

Superseded 5/12/2015

17-27a-401 General plan required -- Content -- Provisions related to radioactive waste facility.

- (1) In order to accomplish the purposes of this chapter, each county shall prepare and adopt a comprehensive, long-range general plan for:
 - (a) present and future needs of the county; and
 - (b) growth and development of all or any part of the land within the unincorporated portions of the county.
- (2) The plan may provide for:
 - (a) health, general welfare, safety, energy conservation, transportation, prosperity, civic activities, aesthetics, and recreational, educational, and cultural opportunities;
 - (b) the reduction of the waste of physical, financial, or human resources that result from either excessive congestion or excessive scattering of population;
 - (c) the efficient and economical use, conservation, and production of the supply of:
 - (i) food and water; and
 - (ii) drainage, sanitary, and other facilities and resources;
 - (d) the use of energy conservation and solar and renewable energy resources;
 - (e) the protection of urban development;
 - (f) the protection or promotion of moderate income housing;
 - (g) the protection and promotion of air quality;
 - (h) historic preservation;
 - (i) identifying future uses of land that are likely to require an expansion or significant modification of services or facilities provided by each affected entity; and
 - (j) an official map.
- (3)
 - (a) The plan shall include specific provisions related to any areas within, or partially within, the exterior boundaries of the county, or contiguous to the boundaries of a county, which are proposed for the siting of a storage facility or transfer facility for the placement of high-level nuclear waste or greater than class C radioactive nuclear waste, as these wastes are defined in Section 19-3-303. The provisions shall address the effects of the proposed site upon the health and general welfare of citizens of the state, and shall provide:
 - (i) the information identified in Section 19-3-305;
 - (ii) information supported by credible studies that demonstrates that the provisions of Subsection 19-3-307(2) have been satisfied; and
 - (iii) specific measures to mitigate the effects of high-level nuclear waste and greater than class C radioactive waste and guarantee the health and safety of the citizens of the state.
 - (b) A county may, in lieu of complying with Subsection (3)(a), adopt an ordinance indicating that all proposals for the siting of a storage facility or transfer facility for the placement of high-level nuclear waste or greater than class C radioactive waste wholly or partially within the county are rejected.
 - (c) A county may adopt the ordinance listed in Subsection (3)(b) at any time.
 - (d) The county shall send a certified copy of the ordinance under Subsection (3)(b) to the executive director of the Department of Environmental Quality by certified mail within 30 days of enactment.
 - (e) If a county repeals an ordinance adopted pursuant to Subsection (3)(b) the county shall:
 - (i) comply with Subsection (3)(a) as soon as reasonably possible; and
 - (ii) send a certified copy of the repeal to the executive director of the Department of Environmental Quality by certified mail within 30 days after the repeal.

- (4) The plan may define the county's local customs, local culture, and the components necessary for the county's economic stability.
- (5) Subject to Subsection 17-27a-403(2), the county may determine the comprehensiveness, extent, and format of the general plan.