

Town of Bluff

General Plan

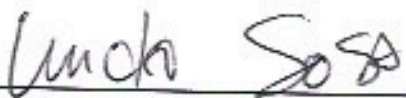
Pursuant to Title 10, Chapter 9a, Section 401 of the Utah State Code (accessible online at <https://le.utah.gov/xcode/Title10/Chapter9A/10-9a-S401.html>)

THIS GENERAL PLAN was approved by the affirmative vote of a majority of the Town Council of the Town of Bluff this 13th day of August, 2019. This ordinance shall take effect immediately upon passage.

By: 
Mayor Ann Leppanen

August 13, 2019
Date

Attest:

By: 
Recorder

August 13, 2019
Date

Acknowledgements

Indigenous Lands Acknowledgement

The Town of Bluff acknowledges that it is located on the traditional, ancestral, and current lands of the Hopi, Diné, Ute Mountain Ute, Ute, Rio Grande Puebloan¹ People, and other traditional Indigenous inhabitants of that land. The Town acknowledges the Ancestral Pueblos, Hopi, Diné, Ute Mountain Ute, Ute People and Rio Grande Pueblo People who steward the Bluff landscape and the greater Four Corners Region now and since time immemorial.

¹ Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, Sandia, San Felipe, San Ildefonso, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia and Zuni Pueblos.

The General Plan acknowledges the generous volunteer work of:

The Bluff Town Council

Ann Leppanen, Mayor
Luanne Hook, Council Member
Brant Murray, Council Member
Jim Sayers, Council Member
Linda Sosa, Council Member

The Bluff Planning & Zoning Commission

Sarah Burak, Chair
Amanda Podmore, Vice-Chair
Robin Cantrell, Commissioner
Malysa Egge, Commissioner
Michael Haviken, Commissioner

Additional Thanks to:

Eileen Fjerstad, Planning & Zoning Advisory Council
Wendy Smith, Planning & Zoning Advisory Council
Deborah Westfall, Planning & Zoning Advisory Council
Kristen Bushnell
Mary Gillam
Britt Hornsby
Michael Bryant
Kelly Finley Davis
Lois Young
Jim Hook

And all those who graciously shared their time and expertise in the development of the General Plan.

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Vision Statement

Bluff envisions a community that manages growth to protect and enhance the elements of Bluff's unique character and make it a good place to live. Positive management and protection guide orderly, reasonable, and reflective growth and development. The best interest of the public health, safety, and general welfare of the Bluff Community animate the vision. The elements to be protected and enhanced, or "Highly Valued Elements" are:

1. The Landscape—the cliffs, the river corridor and canyons, the cottonwoods, the farmland, the flora and fauna wildlife, as well as noise levels and the night sky;
2. The History—all Pioneer, Native American, and other historical buildings/sites as well as written and oral stories and accounts;
3. The Prehistory- All ancient Native American sites/areas;
4. The Cultural Diversity- the people of this area are a mix of cultures, individuals, age groups, incomes, and beliefs;
5. Rural/Residential Lifestyle- the low residential density and rural character of the developed community;
6. Sustainable Economy.

In balancing these values in our future, Bluff must above all protect its water and aquifer resources with diligence. Bluff's future development may be restricted by the availability of water.

Introduction

Title 10, Chapter 9a, Section 401 of the Utah State Code requires each municipality to prepare and adopt a comprehensive, long-range general plan for present and future needs of the municipality and the growth and development of all or any part of the land within the municipality. Title 10 requires a General Plan and specifies the topics to be addressed in the Plan.

The General Plan is the foundation for local ordinances which, when enforced, work to provide public services while ensuring Bluff's Highly Valued Elements are preserved and protected. General Plans are intended also to guide sustainable economic activities and orderly growth while simultaneously strengthening transparent, inclusive, and fair processes for residents in decisions in the best interest of the "common good."

Bluff is a small community, population 262 (according to 2019 Kem Gardner Institute at the University of Utah data) immediately north of the San Juan River. Bluff is geographically somewhat central to communities along the San Juan River, and is the crossroads of north-south US 191 and east-west State Roads (SR) 162 and 163 that efficiently connect much of southern San Juan County to communities to the north. Just to the west of town lie two areas in Southeastern Utah increasingly recognized internationally for both spectacular recreation and rich cultural and historical values: Comb Ridge and Cedar Mesa. To the south is the northern part of the Navajo Nation that includes Monument Valley. Bluff, an isolated outpost through the end of the 19th and most of the 20th centuries, finds its location, history, and proximity to archaeological treasures attracting increased global tourism. Bluff residents are cognizant these connections invite many possibilities with both positive and negative potential.

Also adding to Bluff's character is the nearby Bureau of Land Management put-in for all private and commercial recreational boating down the San Juan River, ending near Lake Powell. The San Juan is a major tributary of the Colorado; boaters begin their trips in Bluff and, through vehicle shuttles, frequently end trips in Bluff as well.

Bluff Town Council believes that Bluff's unique advantages can lead to quality economic growth in a future that is not distant. The Council also believes that sensible, inclusive government decision-making, careful and conservative planning, and preservation of Bluff's natural and cultural values all will contribute to those advantages and help ensure long-term revenue security.

Zoning and ordinance decisions must be consistent with the goal of preserving and maintaining the healthy, peaceful, clean, quiet, and scenic environment that is valued. The community cannot allow development that might compromise the current and future population's water

sufficiency and the community's rural character. For these reasons, oil and gas development does not fit within the town limits. Zoning and ordinance decisions will guide economic development compatible with Bluff's town goals.

Bluff must translate Land Use intentions, priorities, and principles into a codified and implementable system that is ongoing and subject to continuous review.

This plan will serve as a guide to future growth and development, so that the basic values and traditions of the community may be passed on for future generations to enjoy.

After Goals statement, the General Plan is organized into sections; within each section are the subsections Current Conditions, Planning Assumptions, and Resulting Policies. The sequence of sections is arbitrary and does not signal any prioritization. Though sections are stated separately for clarity and convenience, collectively they are the mosaic of Bluff's Vision. This plan outlines how and where development should occur and establishes policies designed to accomplish the community vision.

Community Goals

The Town of Bluff is a gateway community, far from metropolitan areas. It is surrounded by not only a beautiful landscape but also a rich diversity of history and culture. The warm welcoming character of its residents along with these cultural and outdoor experiences, draw people to visit and live in Bluff. To preserve its distinctive quality of life, all ordinances will be carefully drafted and enforced with ten goals in mind. (The goals are numbered for reference; numbers do not designate importance or priority):

1. Preserve and enhance Bluff as a scenic, rural community that appreciates, uses, enjoys, and protects its distinctive environment.
2. Protect the unique character, eclectic architecture, and scale of the Town.
3. Protect the clean water and air; preserve the natural environment and natural resources of the community for future generations; protect animal welfare.
4. Protect the quality of life, privacy, safety, and security of the community.
5. Protect viewscales, a sense of open space, quiet atmosphere, and dark skies.
6. Preserve the strong sense of community and diversity of people.
7. Encourage thoughtful development that enhances and supports sustainable community development, stable local employment, locally-owned businesses, and tourism.
8. Encourage affordable housing opportunities to allow a broader audience into the community, including long term rentals and home ownership.
9. Protect designated recreational and open space areas from future development.
10. Preserve the character of the historical and prehistoric elements and historically classified structures.

Section 1: Land Use

General Goal

Land Use Section 1 has six subsections: private land, public land, zoning, preservation of the aesthetic values, sustainable development, and conservation. All ten Community Goals are addressed in Land use.

Private Land

Current Conditions

16% of land in Bluff is privately owned. A significant amount of Bluff, 84%, is public land (map is included in Appendix). Bureau of Land Management (BLM) (47%) and Utah School and Institutional Trust Lands Administration (SITLA) (37%) are the primary public land management agencies within Bluff. Ownership of private land parcels is recorded at the San Juan County Courthouse in Monticello, Utah. Private land is used for residences (year-round and second homes), businesses, agriculture, and undeveloped property.

Planning Assumptions

1. Land use policies and ordinances need to be established and reviewed for all areas within the town of Bluff.
2. Undeveloped areas within Bluff need to be identified, planned for, and regulated prior to development. Bluff Cemetery will be considered in developing ordinances.

Resulting Policies

1. Write, review, and adopt ordinances and land use policies.
2. Identify, plan, and regulate undeveloped areas within Bluff.
3. Identify, review, and address issues concerning private land with the potential for commercial use.
4. Write a subdivision ordinance that addresses an open space policy.

Public Land

Current Conditions

A significant amount of Bluff's land base is identified as public land (see Appendix). The primary public land management agencies within the Town of Bluff are the BLM, accounting for 47% of land, and SITLA with 37%. This results in 84% of the land within Town boundaries being designated as public land. Activities on public lands within and nearby Bluff could impact the community, environment, public safety, economy, and water.

Planning Assumptions

1. Town of Bluff Planning and Zoning has no jurisdiction over Public Lands within Town boundaries.
2. Town of Bluff government may exercise influence over how Public Lands are used.

Resulting Policies

1. Contact and begin working with land management agencies to identify and solve potential problems that may arise on public lands within and near Bluff town boundary. Understand the relationship between Bluff and the public land management agencies and develop paths to conflict resolution.
2. Negotiate conservation easements and leases to conserve land for its natural, recreational, scenic, and historical value.
3. Identify and understand activities that may occur on public lands in and near town boundary that could potentially impact the community and environment and seek to address any issues that may arise.
4. Research, write, and adopt guidelines for public land transfers within Bluff town limits. Develop guidelines for public to private land transfers within Bluff town boundary.

Zoning

Current Conditions

The area now known as the Town of Bluff has historically been under San Juan County zoning authority, listed as a Controlled District – Community. This is defined as “a district where agriculture, industrial, commercial, and residential uses may exist in harmony, based on planned development for mutual benefit and flexible location of uses.” Other zones within the

Town boundary are Controlled District - Highway and Agricultural. Bluff has also been classified by San Juan County as an Enterprise Zone, which is defined as “an area identified by local elected and economic development officials and designated by the State”. Under the program, certain types of businesses locating to or expanding in a designated zone may claim state income tax credits.”²

Planning Assumptions

1. An inventory of properties, property ownership, current developments, existing structures, and existing covenants must be taken. Create and store detailed maps and records of property and covenants within Bluff town boundary.
2. Review current land use classifications with the possibility of adding new classifications or modifying existing ones.
3. Develop and adopt a Conditional Use Permit Policy.
4. Promote low-impact existing and new agricultural businesses and a variety of productive land uses under the general description of “agriculture.”
5. Once a permit policy is developed and adopted, new structures erected in Bluff town boundary shall meet all state building codes and Bluff building ordinances. All property owners will be required to obtain all applicable permits prior to construction or installation of any structure.
6. The Planning & Zoning Commission will make a recommendation to the Bluff Town Council to establish a building process, land use authority, and an appeal authority.

Resulting Policies

1. Actively solicit input and participation in land-use planning and decision-making process.
2. Research existing short term rental policies elsewhere and adopt a policy and permit system that balances affordable housing and long term rentals with short term rental business opportunities. Promote affordable housing, including tiny homes, employee housing, and long term rentals (more than 30 days).
3. Develop zoning districts. These districts shall include Commercial & Commercial/Residential, Agricultural, Residential, Factory/Industrial and overlay zones including Geological and Cultural.
4. Maps of the information must be created, reviewed, and kept current and available to the public.
5. Facilitate low-impact, community-based solutions.
6. Allow and encourage alternative building methods, using alternative materials, while holding to state and local building codes.

² See <http://www.sanjuancounty.org/sjc-content/documents/Zoning%20Map%20-%20Large.pdf>
<http://www.sanjuancounty.org/sjc-content/documents/ZoningOrdinance092011.pdf> Page 37.

Preservation of Aesthetic Values

Current Conditions

Businesses and homes, along with recreational, historic and agricultural areas, are intermixed throughout Bluff with varying aesthetic qualities and architectural styles. Commercial development is largely along Highway 191. With few exceptions, buildings are two-story or less.

Substantial setbacks within lot margins along roads are common and lend the town a spacious and semi-rural feel. Lot sizes are generally substantial due to pioneer tradition as well as the requirements of septic leach fields. For example, single dwellings in the Cottonwood Addition (subdivided in the 1950s) commonly occupy three or more of the originally-subdivided lots which are singularly too small for septic systems. Cottonwood's original plan was predicated on a proposed central sewer system that never materialized.

Bluff's septic systems have further shaped the town in providing ambient soil moisture for tree growth. Old-growth cottonwoods and deep shade throughout the town provide Bluff with its oasis-like character. The openness and low height of buildings allow for broad, scenic views of cliffs to the north and south as well as more distant vistas from most locations in Town. Neighborhoods are clustered in response to geology, drainages, and transportation corridors which in many cases provide unplanned but valuable open space corridors.

The small town charm of Bluff is further enhanced by low noise levels, dark skies, cleanliness, and a sense of homes being secluded by greenery. These values are important to residents of Bluff. However, there is currently a lack of ordinances and enforcement to ensure these values are upheld.

Planning Assumptions

1. Future building in current patterns described above will preserve Bluff's unique character.
2. The rustic and natural characteristics and limited exterior lighting should be preserved.
3. Ordinances should be developed to ensure aesthetic and quality of life values.
4. Highway and other noise should be kept to a minimum via ordinance.
5. Dark night sky is an important aesthetic value to be protected by ordinance.
6. Future septic disposal decisions will consider the impact on tree growth.
7. Compliance Officer position will be needed.
8. Land use ordinances will address non-compliant/non-conforming structures.

Resulting Policies

1. Ordinances will be developed consistent with stated aesthetic, noise, light and other related values.
2. Encourage development of funding sources to assist community members with compliance with new or updated ordinances.
3. Encourage the rehabilitation or redevelopment of substandard buildings and structures.
4. Create ordinances for signs.
5. Create No Idling districts and No Engine Braking throughout town.
6. Establish guidelines for setbacks (including landscaping, density and architectural style for commercial or historical developments).
7. Create outdoor lighting ordinances to preserve dark skies. *Owners with existing violations will be encouraged to moderate lighting; repair, remodeling, or new construction permits will use dark sky compliant lights.*
8. Create ordinances which address the allowable noise level(s) at different times of day for different zoned areas.
9. Encourage the placement of all utilities underground.
10. Encourage planting of trees compatible with services and suitable to soil and climate conditions.

Sustainable Development

Current Conditions

Population and tourism in the region have risen significantly, impacting local communities. From 2015 to 2016 Utah became the fastest growing state in the nation. Over that same period, San Juan County was ranked as the fastest growing county in the nation. The Census Bureau estimates San Juan County gained about 1,000 residents between 2015 and 2016, for a growth rate of 7.6 percent. Building permits in Bluff slowly increased from 2009-2016 and then growth increased rapidly in 2017 and 2018.

Trends indicate international awareness of the many attractions of the Four Corners region will continue, and thus sustainable development is a concern to the community. The increase in tourism to Bluff is a major concern for residents. Throughout the 'Listening to Bluff' process, numerous residents expressed the desire to avoid the unwanted socially unsustainable tourism development that is occurring in other areas. Community members expressed their desire to retain the current solitary identity of Bluff, while still embracing sustainable tourism development. (Listening to Bluff, Pg. 43)

Planning Assumptions

1. Population and tourism will result in increased pressure on residential and commercial properties and public services. Bluff's tourism economy may lead to a disproportionate demand for commercial properties, which are seen in similar areas to diminish the residential housing and land inventory. Second home and vacation rentals often substantially impact long-term rental and residential housing inventory. A proper balance of residential and commercial properties must be maintained.
2. Quality sustainable development balances economic development with human needs and natural resource limitations.

Resulting Policies

1. Ordinances will address sustainable development with input from the community.
2. Research density models and adopt policy encouraging and protecting full-time residences while preserving Bluff's Valued Elements.
3. Adopt ordinances that allow for vacation rentals without negatively impacting housing inventory.
4. Consider employee housing requirements for large commercial developments as well as ways to preserve low-density feel and greenery.
5. Develop ordinances related to the number of new water taps permitted each year.
6. Develop ordinances that allow for a mixture of land uses. An example could be commercial and professional businesses on lower building levels and residential dwelling units on higher building levels.
7. Encourage affordable housing. (Bluff is exempt from Utah Code affordable housing requirement)

Conservation

Current Conditions

Conservation will be a key aspect of Bluff's long-term success. People are drawn to the public lands, pristine night skies, viewsheds and the San Juan River. Conservation is a strong community value.

Planning Assumptions

As stated above, population and tourism has been increasing dramatically and will likely continue to increase for the foreseeable future. As new residential and commercial structures are built, conservation should be encouraged through education and land-use ordinances.

Resulting Policies

1. Emphasize water conservation in land-use.
2. Minimize the use of herbicides, insecticides, and similar materials, and encourage the research into alternative methods.
3. Develop policies that require new commercial construction to install low-flow water fixtures. Encourage low-flow fixtures in new residential construction.
4. Identify and develop a plan to protect environmentally sensitive areas and wildlife corridors.
5. Research funding sources for educational programs and workshops on rainwater harvesting systems, xeriscaping, permaculture, and water conservation strategies.
6. Encourage residential and commercial installation and use of sustainable energy sources such as solar and wind while keeping in mind our valued elements.
7. Allow and encourage urban agriculture, as water resources permit, including home gardens, community gardens, composting, low impact livestock (e.g. chickens), sales of produce, and community-driven farmer's markets.
8. Consider landscaping and green space, ordinances that promote low to no water usage (i.e. xeriscaping) on commercial properties.
9. Encourage ranchers to maintain fencing. Consult with the BLM as appropriate for livestock management.
10. Encourage placement of Bluff residents on regional and state decision making initiatives.

Section 2: Transportation

General Goals

Bluff seeks to ensure traffic is kept safe, quiet, and flowing. Bluff intends to provide adequate and diverse pedestrian, non-motorized, and motorized circulation opportunities.

The Town of Bluff intends to ensure public access to public lands such as the rivers and canyons.

Future transportation policy will protect and encourage access options to neighboring communities therefore increasing connectivity between communities. The Town of Bluff will continue to support the present Bluff Airport.

Motorized Transportation

Current Conditions

Bluff sits on US 191, a well-traveled tourist and commercial route. Just east of Bluff US 191 emerges from Cow Canyon, circumvents south of Bluff Historical district, and runs west bridging Cottonwood Wash. Thus Bluff is divided north and south by the Highway, and east and west by Cottonwood Wash, a significant drainage tributary to the San Juan River. US 191 is Bluff's Main Street. Residential, commercial, historic, school, and public properties front the highway. US 191 is currently the only vehicular access across Cottonwood Wash.

The majority of the streets within the Town of Bluff are on a grid pattern, running in the cardinal directions within town proper. Homes and businesses are accessible by streets running parallel and perpendicular to US 191. US 191 is part of a popular tourist "loop" connecting Las Vegas with many of southern Utah's most popular National Parks and Monuments.

Current Utah Department of Transportation (UDOT) road classifications include Class A, B, C, and D roads. Class C Roads within the Town are roads that are paved or gravel, as well as dirt roads that have been properly graded and shaped with shoulder and drainage ditch. Class C Roads must be easily drivable with a two-wheel drive vehicle. Bluff Town is responsible for maintenance and repair of its Class C roads.

As of November 30, 2018, the following Class C Road measurements are on file with UDOT:

Paved = 7.484 miles

Gravel = 5.960 miles

Dirt = 4.643 miles

Total Class C Roads = 18.086 miles

Class D roads are considered as “back roads” and non-maintained dirt roads. The total measure of Class D roads within the Town’s boundary as of June 7, 2018 is 68.3 miles. High clearance four-wheel drive is recommended on these roads.

UDOT currently provides maintenance funds for Class C designated roads. Decades of neglect to the Town’s roads have resulted in a backlog of necessary maintenance. The Order of Magnitude estimate to bring the Bluff C roads up to a maintainable level is estimated between \$1,500,000 to \$2,000,000.

The operation of off-road vehicles (OHVs) is common within the town boundary. On public lands, OHVs are held to traveling only on designated roads and routes.

The Bluff Airport has a 3000-foot paved runway with a 1500-foot dirt runoff. The Bluff Airport has four hangers, four developed tie downs, and room for four to eight additional planes with their own tie downs. San Juan County transferred the airport to Bluff in 2018 and it is now leased from the BLM by the Town of Bluff.

Planning Assumptions

1. Repair and maintenance prioritization of residential streets will depend on current conditions, funding, and jurisdictions.
2. Due to bisection of town by a major drainage, and because of the presence of the school, existing and needed emergency and contingency routes must be identified and addressed as needed.
3. Motorized traffic in residential areas, particularly in the historic district, should be minimized.

Resulting Policies

1. Present the Order of Magnitude to San Juan County Commission in hopes of obtaining funds for repair on poor road conditions.
2. Research and pursue alternative pedestrian routes to two US 191 bridges: across Cottonwood Wash and across the San Juan River.
3. Create a policy to regulate OHV use and decibel levels on residential roads.
4. Concerns have been raised regarding the entrance to the new elementary school being closer to the highway and closer to higher speed limits on the highway. Concerns are noted as well to the growth of businesses at both ends of “town” and amount of traffic.
5. Establish ordinances for sufficient parking on commercial properties.
6. Consider public parking zones and street parking.
7. Ensure emergency access is available on private roads and access easements.

8. Establish regulations for off-street parking.
9. Establish partnerships with state agencies for current and future maintenance and development.
10. Support public transportation programs between communities.

Non-Motorized and Pedestrian

Current Conditions

Little infrastructure or accommodation for non-motorized traffic exists in Bluff. A with several access points has been mapped and developed along the river the length of the Town. However, parking and trailhead access remains a challenge. Town-planned pedestrian sidewalks or bike paths are absent. Pedestrians commonly walk or bicycle in the substantial, informal residence and business setbacks in Bluff as well as numerous trails in and near the town. Interest has been expressed in creating a bike path through town and formalizing, through mapping, town trails that would access the San Juan River Trail and surrounding natural attractions. A former footbridge east of town near the Mission connected Bluff to the Five Point community on the Navajo Nation.

While walking/bicycling has hardly been considered up to now in Bluff's growth, attractions from the Mission in the east to Sand Island in the west could be linked by non-motorized paths consistent with Bluff's character.

There are currently no formal pedestrian or non-motorized crossing places bridging the San Juan River. US 191 and the streets of Bluff are popular routes for running, walking, and biking recreation. The highway lacks bike lanes and most stretches lack adequate shoulders for safety.

Planning Assumptions

1. Bluff seeks to better its infrastructure and accommodations to encourage non-motorized travel such as cycling and walking. Walkways, trails, bike lanes, and informational and safety signage will help promote pedestrian traffic along with human health and wellness. Bluff is a mix of residential, commercial, historic, and public properties with no centralized downtown area to focus pedestrian traffic. The pedestrian routes in Bluff will, by necessity, travel through all of these districts.
2. Consider access to safe crossings.
3. Create a basic town map, encouraging "off-highway" routes.

Resulting Policies

1. Research funding sources for pedestrian and non-motorized infrastructure and accommodations that are designed to be consistent with Bluff values and character.
2. Develop a plan for pedestrian and non-motorized travel in Bluff that includes an alternative for daily circulation, activities, commerce, and recreation.
3. Support the San Juan River Trail and related trail systems.
4. Encourage and provide bike racks.
5. Develop a plan for West Park.
6. Provide a safe path system for non-motorized transportation traffic.
7. Review existing pedestrian and non-motorized infrastructure and accommodations, including accessibility concerns.
8. Provide safe and accessible pedestrian and non-motorized avenues of passage, ie. bike/walking path adjacent to the highway.
9. Plan for pathways to the river and canyons.
10. Continue to explore creative ways to reestablish the former footbridge to reconnect to neighbors. Research possible rebuilding options as a historic structure under guidelines suggested by the Secretary of Interior's Standards for "reconstructing non-surviving landscapes."
11. Include equestrian-friendly policies.
12. Research and pursue alternative pedestrian routes to crossing Cottonwood Wash.
13. Encourage new developments to tie into established pathways and trails.
14. Establish partnerships with state agencies for current and future maintenance and developments.

Section 3: Economic Development

General Goal

The general economic development goals of the Town of Bluff are to facilitate a diversified economic base, establish policies for upgrading internet and aiding working remotely, facilitate year-round, locally-owned employment opportunities, allow and balance access to seasonal and long term housing options, and encourage precedence of art and culture within the community.

Current Conditions

The current economy of Bluff is largely based on seasonal tourism, jobs in public services, and retiree income. Bluff's tourism economy includes food services, a variety of lodging and campgrounds, and guiding companies. Seasonal industry runs spring through fall, but is trending to be more year-round. Tourist season sees significant daily increase in the number of visitors in town over the residential population.

Service industries include a gas station/convenience store, restaurants, front-desk hotels/motels, a number of nightly rental options, and RV parks. The San Juan River BLM put-in offers campsites with varying amenities. Several river- and land-guiding companies exist in Bluff also, as well as a branch of a County-wide credit union.

The year-round economy relies heavily on the governmental sector for employment and services. These services include elementary education and roads and highways. Related to the government sector is archaeological contracting and non-profit organizations. Adjacent and nearby Public Lands constitute a major driving force for stable employment, including Bureau of Land Management, National Park Service, and State Parks. Some construction generally occurs off-season, and several artists work in Bluff. However, the majority of Bluff's workforce is tied to tourism and seasonal industry.

Businesses in Bluff are generally "owner/operated." Some employees of businesses involved in energy development in the surrounding area live in Bluff. Ranching occurs on private and public lands both within and adjacent to Bluff boundaries, with livestock often moved from higher elevations in the County to winter along the river. Bluff is home to a hay farm that supplies feed to many small livestock concerns in the southern county.

Business Owners of Bluff (BOB) is a business association in town with annual memberships. BOB operates a visitor-oriented website and hosts an increasingly-popular annual Balloon Festival in January, and assists in hosting other events such as the Bluff Arts Festival in the fall.

Bluff Businesses employ individuals who reside in surrounding communities, including Navajo Nation and White Mesa. Bluff has a large retirement community as well as individuals who work from home.

The Town of Bluff has no definable commercial or retail center. Retail businesses primarily are located along a two mile corridor of US 191, although some commercial enterprises can also be found in off-highway residential areas. The Fire Department, Library, Post Office and Community Center are all located in the historic section of town, with the new school located west of Cottonwood Wash, considered Bluff's east-west dividing line.

Residents of Bluff and indeed of all communities along and south of the San Juan River surrounding area frequently must travel to larger towns in the region such as Blanding, Utah or Cortez, Colorado for supplies, services, food variety, and low prices.

Median household income in 2016 was \$37,247. Bluff's per capita income in 2016 was \$20,706. The number of businesses in 2016 was 25 but it has since grown. (Source: Bluff Incorporation Feasibility Study - FINAL 06/19/2017).

Planning Assumptions

1. Commercial development interests will continue to grow in Bluff.
2. Agriculture, ranching, and grazing will continue to be economically and culturally important.
3. Enhance town green space to incorporate parks and trails, public land and river access points, and picnic sites to encourage local economy and use.
4. Fiber optic will add to Bluff's infrastructure within the next two years.

Resulting Policies

1. Encourage entrepreneurship and locally-owned businesses.
2. Promote working-from-home with the use of technology.
3. Research educational programs coming to the community to employ the potential workforce through real-world job training and acquisition programs.
4. Encourage commercial business along or near the main highway while maintaining a walkable and pedestrian friendly connection between entities.
5. Encourage recognition of Bluff's cultural heritage in developing new businesses and related enterprises.
6. Support annual local and community festivals and events.
7. Consult with tribal entities, as appropriate, and include area communities in events and discussions.

8. Support a market analysis survey of goods and services that have a realistic potential to spur small businesses in a concerted effort to serve the residents of the Town of Bluff (including but not limited to groceries, household supplies, medical services, vehicle repairs, haircuts, recycling, trash removal, etc.) and encourage residents who choose to open small businesses to provide these goods and services.
9. Encourage employers to support local affordable housing (rentals and ownership) for their workforces.
10. Encourage all businesses (of all sizes) to participate with BOB.
11. Support agricultural endeavors.
12. Support renewable energy development that would provide economic opportunities to local residents and are compatible with Town goals.
13. Consider the capabilities of Bluff's aquifer and any alternative water sources for sustainability in growth regulations and allowable enterprises.

Section 4: Heritage and Historic Preservation

General Goal

Preserve the character of the historical and prehistoric elements and historically classified structures.

Current Conditions

The town of Bluff acknowledges that it sits on the traditional lands of Indigenous People. See https://drive.google.com/file/d/0B_CAyH4WUfQXTXo3MjZHRC00ajg/view.

Several indigenous places have been documented in the vicinity of Bluff including the prehistoric Bluff Pueblo I village below the Navajo Twins, the Bluff Great House site on Cemetery Hill, and “Meloy Village,” a Basketmaker III pithouse village in the sand dunes west of Cottonwood Wash. A historic Ute camp has been documented west of the Navajo Twins, and Ute and Navajo camps have been documented in Cottonwood Wash and near Sand Island. Navajo and Ute rock art is abundant on the Bluff Sandstone and Navajo Sandstone cliffs and boulders within the town and beyond.

The Bluff City Historic District, including Cemetery Hill, is north/west of Highway 191, east of Cottonwood Wash and up to the Bluff cliffs. Several homes and properties within the District are listed on the National Register of Historic Places. A more detailed description of these homes is in the Appendix.

Planning Assumptions

1. The preservation of Bluff’s historic structures and sites is an ongoing process.
2. Structures and sites that merit preservation should be identified and inventoried.
3. The Planning and Zoning Commission will work with local, state, and federal historic preservation agencies to understand and preserve the historic significance of the town.

Resulting Policies

1. The Planning and Zoning Commission, Bluff Town Council, and citizens will work together to develop a plan for the preservation of Bluff historic sites.

2. The Planning and Zoning Commission will work with local historic preservation organizations to inventory prehistoric, historical or culturally significant sites for preservation.
3. Heritage tourism shall be in compliance with all ordinances and applicable public land regulations
4. Upgrades and renovations, where applicable, should consider Utah Historic Preservation guidelines.
5. Promote archaeological preservation and an archeological designation. Encourage local partnerships to survey cultural resources on private property.
6. Develop ordinances, in consultation with the Utah State Historic Preservation Office (SHPO), to mitigate potential adverse effects to cultural resources and human remains caused by ground-disturbing activities in public facilities and rights-of-way, in accord with applicable state and federal laws.
7. Support a map of archaeological overlay zone throughout Town boundaries, identifying areas of archaeological sensitivity.
8. Support the creation of recommendations for private landowners who find archaeologically sensitive sites within their properties.

Section 5: Health, Safety, & Infrastructure

General Goal

Ensure public services keep up with community growth. These services include water and road maintenance through the Town of Bluff. Interlocal agreements with San Juan County provide Fire, Emergency Medical Services, Law Enforcement within the community, and Education. Meet the need for governmental offices/infrastructure.

Municipal Property and Infrastructure

Current Conditions

The Community Center Park, Community Center and maintenance shed building, Fire Mesa Community Kitchen, West City Park, and Bar Well Park are municipal. All Class C roads are Town roads, and water rights and water infrastructure lines are municipal property. Bluff lacks physical infrastructure for Town governance activities and other proposed functions of benefit to larger community including but not limited to part-time vehicle registration, license renewal, and forestry permitting.

Planning Assumptions

1. Bluff will seek to acquire offices and other facilities in order to fulfill current and future governmental functions.
2. Areas in town that have the potential for governmental functions should be identified and research should be done on acquiring these properties.
3. Prioritize infrastructure upgrades and maintenance to meet community needs.
4. Bluff will continue to work with San Juan County to provide EMS and fire/rescue to the area.
5. Develop a capital asset inventory and a capital improvements plan for the town.
6. Bluff will continue to work with the State of Utah to provide Wildland Fire Protection.

Resulting Policies

1. Bluff will seek to purchase or rent governmental facilities. Possible purchase of old elementary school should be actively pursued.
2. Identify funding sources for infrastructure improvements.

Health and Safety

Current Conditions

San Juan County provides Fire, Emergency Medical Services (EMS) and Law Enforcement to Town of Bluff through the Interlocal Agreement. 911 calls originating in the area are received by San Juan County Sheriff's Office dispatch in Monticello. US 191 is patrolled by Utah Highway Patrol as well as the San Juan County Sheriff's Office. They will respond when called.

The Bluff Volunteer Fire Department (BVFD) has a crew of volunteers who respond to calls in Bluff as well as in surrounding areas reaching Montezuma Creek, Monument Valley, north to White Mesa, and south to Arizona. All of the fire departments in the county provide and receive mutual aid as needed. BVFD responds to emergencies including traffic accidents and wildland, structure and industrial fires, and assist the county in search and rescue. Bluff Fire can also assist in helicopters landing for EMS air transport on scene or by fixed wing airplanes at the airport. San Juan County owns the fire station and the seven emergency response vehicles which are at the volunteers' disposal to use when responding to calls. The County also provides communication for BVFD with radios and pagers and they activate the local siren in conjunction with a page. The County has also placed a local Base Station at Recapture Lodge to facilitate communication directly with the Sheriff's Office and the EMS and Fire crews and to ensure activation of pagers.

Bluff EMS has a crew of Emergency Medical Technicians (EMT's) who are paid when called to an emergency. The County-owned ambulance is housed in Bluff at the fire station. They also serve a much wider area than the boundaries of the Town of Bluff and provide and receive mutual aid to other crews in the area. The ambulance typically transports patients to Blue Mountain Hospital in Blanding.

Bluff residents have access to clean air and water which contributes to overall community health. This environmental quality should be monitored and protected.

Planning Assumptions

1. Provide and maintain high-quality effectiveness and efficiency in law enforcement, fire, and emergency medical services to the extent that is consistent with governmental operations, plans, public policies, resident and tourist populations served, and remains within available funding.
2. Strive to provide citizens and visitors of Bluff with a safe and pleasant environment in which to live, work and play.
3. Encourage measures to maintain excellent air and water quality.

4. Develop and enforce safety and fire protection regulations for all commercial, residential, industrial, and public development.

Resulting Policies

1. Encourage fire mitigation and monitor fuel buildup in Town and between Town and river.
2. Encourage volunteer participation in and training for fire and EMT services.
3. Establish generous setbacks along washes in any future development.
4. Develop a community fire plan to address the potential for catastrophic fire.
5. Research risks and pass a resolution opposing the transportation of toxic materials such as uranium through Bluff, similar to Flagstaff, Arizona's Resolution No. 2017-38.
6. Consider a 24/7 public restroom facility and consider composting toilet options.
7. Encourage ranchers to maintain fencing.
8. Consider policies pertaining to animal control and ownership.
9. Consider policies pertaining to firearm safety.

Section 6: Development Constraints

General Goal

Preserve and enhance Bluff as a scenic, rural community that appreciates, uses, enjoys, and protects its distinctive environment.

Plan in response to water limitations, geographic hazards, conservation needs, and other restraints for the benefit of current and future generations.

Water

Current Conditions

The water system for the Town of Bluff consists of several wells which tap deep underground aquifers, a treatment plant, three storage tanks, and delivery system. A detailed description of the entire system will be provided in the appendix portion of this document.

Planning Assumption

1. Research historical water use.
2. Research maximum water taps culinary water sources can supply and develop policy based on current conditions.
3. Research alternative means and methods for alternative water sources (eg. emergency sources like the river).
4. Promote water collection and reuse methods.
5. Promote xeriscaping best practices for residential, community, and commercial properties. Encourage landscaping to conserve water.
6. Promote water conservation for primary and secondary sources.
7. Research water rights and State law applicable to the Town of Bluff for the purposes of secondary water use.
8. Research utilizing the impounded artesian ("Pioneer Swimming Pond") north of Community Center as a water collection station.
9. Identify risks to current culinary water sources.
10. The policy will remain up to date with current water supply conditions and risks to water supplies.
11. Assess the aquifer to better understand the water situation and limitations.

Resulting Policies

1. Ensure infrastructure provides reliable, safe, and cost-effective water services.
2. Ensure policy allows for reliable, safe, and cost-effective wastewater disposal and/or storage.
3. Develop ordinances for wastewater.
4. Improve stormwater management, including rainwater usage.
5. Encourage water conservation methods on residential and commercial properties.
6. Consider conservation ordinances for new culinary taps and commercial water uses.
7. Encourage developers to improve infrastructure.
8. Support water reuse, conservation, greywater use, and collection.
9. Support a public water filling station to minimize single-use containers.

Preservation of Natural and Open Spaces

The public lands surrounding Bluff offer outstanding opportunities for hiking, hunting, horseback riding, biking, heritage tourism, and more. The preservation of the natural environment and open space is one of the overriding concerns of Bluff's citizens. The GP recognizes the importance of the natural environment and the numerous benefits of preserving Bluff's open space from development; maintaining the viability of productive land; maintaining scenic value and viewsheds; protecting the quality of culinary and irrigation water; managing stormwater, protecting biodiversity; and encouraging sustainable development.

Current Conditions

The West Park is adjacent to US 191 and offers parking and seating for the public. The Bluff Community Center Park includes a playground and a few picnic and shaded areas.

Planning Assumptions:

1. Parks and recreation areas can preserve open spaces in town and be a community benefit.
2. Areas can be selected for community information kiosks and safe, public use.
3. Open space areas need to be identified and planned for prior to the development of undeveloped areas within Bluff.

Resulting Policies:

1. Establish a Parks and Recreation department to coordinate planning, construction, and maintenance of public trails, open space, and parks.

2. Enhance town green space to incorporate parks and trails, public land, river access points, picnic sites, and a water station.
3. Include an open space policy in subdivision ordinance.
4. Promote the retention of open space to preserve significant sensitive lands, to provide land use buffers, and to provide for public safety. Steep hillsides and ridgelines should be protected as view areas or vistas and not be developed.
5. Promote appropriate design and landscaping of the town park, town grounds, municipal buildings, and other municipal open space to meet the needs of the community.
6. To preserve agricultural land and contiguous open space, encourage clustering, perimeter development, and site-sensitive design.
7. Promote soil conservation on agricultural lands through mapping, grant funding, and informational literature.
8. Encourage public lands to be zoned as open spaces, while allowing limited development for the benefit of the community.

Restrictive Geography: Physical Geology, Biological Features, and Cultural Features

The Merriam-Webster Dictionary (2014) defines “geography” as: “a science that deals with the description, distribution, and interaction of the diverse physical, biological, and cultural features of the earth’s surface.” Bluff’s physical, biological, and cultural features are considered below.

Physical Geology Features: *Geology, Soils, and Hydrology*

Geology: Current Conditions

A detailed description of the geology of the Bluff valley can be found in Appendix D. Known geological hazards include rockfalls and talus slope failure along the base of the cliffs formed by Bluff Sandstone, the Wanakah Formation, and Entrada Sandstone. Exposed faces of Bluff Sandstone have spalled off, and slumped down onto steep talus slopes on the valley floor. To the west, the exposed faces of the Navajo, Kayenta, and Wingate Formations along Comb Ridge have generated large spalls that have fallen onto US Highway 191. Talus slopes are unstable deposits that may shift downslope or fail when the critical angle of repose exceeds 33° - 37°, if the toe of the slope is removed. Moisture also adds to the overall mass of the slope and thus increases the downward gravitational force on the slope.

See Appendix for additional information.

Geology: Planning Assumptions

1. Protect residents and property, and prevent public costs associated with development in geologically hazardous areas.

Geology: Resulting Policies

1. Restrict development in areas that present natural hazards to human life, property, and natural resources.
2. Develop and enforce regulations for developments in hazardous areas. Require a geotechnical study and report for commercial developments within hazardous areas, that will address how effects from rockfalls and disturbed talus slope runouts will be mitigated.
3. Define a minimum distance from the toes of talus slopes for the safe placement of structures to prevent potential rockslide damage to buildings and people.
4. Establish policies governing the removal and/or stabilization of rocks and soils from talus slopes, to prevent erosion and subsequent rock slippage and mudslides.
5. Encourage development, grading, and landscaping to be in harmony with the natural topography and major landforms in the planning area.

Soils: Current Conditions

Most soils in and around Bluff are moderately to highly erodible by either wind or water.

Soils: Planning Assumptions

1. Obtain geologic and soils maps to include with other maps of the Town of Bluff.
2. Identify soils that warrant conservation (e.g., farmlands, wetlands, riparian corridors, and the like).
3. Identify currently active gravel quarries. Identify the distribution of sandy gravel deposits suitable for development as sand and gravel pits.
4. Identify soils that are most susceptible to wind and water erosion.
5. Allow current uses of soils to continue, while maintaining policies for soils health and human health and safety.

Soils: Resulting Policies

1. Encourage conservation of viable soils for general ecological health.
2. Develop specific policies to mitigate wind and water erosion of viable soils.
3. Encourage responsible livestock grazing to conserve soil cover, enhance native vegetation, and discourage noxious weeds.
4. Monitor gravel extraction activities to ensure consideration of human health and safety.
5. Encourage reclamation of depleted, non-operating, gravel quarries.

Hydrology: Current Conditions

San Juan River and associated tributaries, including Cow Canyon, Calf Canyon, Cottonwood Wash, Butler Wash, Comb Wash, and numerous unnamed Washes

Historically, the San Juan River flooded almost yearly, contributing to an extensive riparian habitat along the floodplain. Water releases from Navajo Dam are currently maintained at a minimum flow to fulfill agricultural-related water usage rights and to maintain viable habitat for the endangered Colorado pikeminnow and razorback sucker.

Bluff Sandstone aquifer

This is an unconfined aquifer and is the source for seeps and springs located between the upper Bluff Sandstone and the lower, impermeable, Wanakah Formation.

Navajo Sandstone aquifer (confined culinary water source)

The 2019 Bluff Water study will provide descriptive and historical information on the aquifer.

Bluff Storm Water Control Project

In 2016-2019, storm water control facilities were constructed in East Bluff and West Bluff.

Hydrological Hazards

A major hazard in Bluff is flooding from the San Juan River and upstream tributaries. Although major flooding appears to be remote with Navajo Dam and other diversions, there are at least an additional fourteen (14) named large tributaries draining into the San Juan River below the dam (see Appendix D, Table A-1). The Federal Emergency Management Agency (FEMA) has not created any updated floodplain maps for Bluff or any nearby areas.

Tributaries within the Bluff incorporated area include: St. Christopher's Mission Wash, Cow Canyon, and Calf Canyon. Flooding from Calf Canyon has been partially mitigated by a large streambed modification project. Recent observations (May 2019) demonstrate that the heads (upslope ends) of the drainage culverts, and the large catchment basin, are beginning to silt up.

Cottonwood Wash flows through the middle of Bluff and effectively bisects the town. In 1968 a large flood surged down Cottonwood Wash and took out the US-163/191 bridge across the wash.

The sand dune field west of West Bluff is cut by three (3) large gully systems that drain off Tank Mesa: Buck Wash (draining into the BLM Sand Island Campground), "Gravel Pit Wash," (which

runs through an old gravel quarry, thence through a culvert beneath US 191), and an unnamed wash originating from Tank Mesa and entering the town west of the present Desert Rose Resort (see Geological Hazards map). Concentration of natural runoff below ditches and culverts can be erosive on downstream properties. Erosion has occurred at the mouths of stormwater ditches where they end at the tops of slopes (Gillam, personal communication, May 2019),

Recent mining reclamation and oil extraction activities upstream from Bluff have, respectively, caused the release of toxic mine wastewater from the Gold King Mine in Colorado (U.S. Environmental Protection Agency 2015), and crude oil from an Elk Petroleum pipeline (San Juan Record 2019), into the San Juan River (San Juan River 2019). Upstream wastewater treatment plants, mine tailings, and oil seeps contribute additional pollutants to the San Juan River.

See Appendix for additional information.

Hydrology: Planning Assumptions

1. Establish a historic timeline of Bluff flood events. Update this information on an annual basis to enable people to prepare for future flood events.
2. Investigate the potential to place additional boom anchors along the San Juan River upstream from Bluff to mitigate adverse effects from oil spills.
3. Coordinate with the Utah Department of Environmental Quality and other agencies to develop appropriate emergency response plans to mitigate the effects of toxic mine wastewater spills and oil spills into the San Juan River.
4. The 2019 Bluff Water Study will identify potential hazards to the Navajo Sandstone aquifer (source of Bluff's culinary water).

Hydrology: Resulting Policies

1. Develop policies that consider the potential impact of a San Juan River flood level maximum on soils, vegetation, wildlife, and structures.
2. Continue to monitor and maintain Bluff's current stormwater control facilities, adjusting for revisions and updates as needed.
3. Continue to cooperate with state and federal agencies to mitigate the effects of oil and mine wastewater spills into the San Juan River and its tributaries.
4. Attend public hearings regarding commercial and industrial development that may affect Bluff's Bluff Sandstone and Navajo Sandstone aquifers.
5. Ensure residential, commercial, and industrial compliance with state and federal guidelines governing the protection of the Bluff Sandstone and Navajo Sandstone aquifers.
6. Develop policies to ensure that landowners do not develop properties in ways that would result in excavated soil and rock materials falling or washing onto neighboring properties, or that would change the location and amount of surface water flowing from their property onto neighboring properties (e.g., wash channelization).

Biological Features: Vegetation and Wildlife

Vegetation and Wildlife: Current Conditions

The riparian corridor along the banks of the San Juan River supports a variety of native plants and animals, including galleries of Fremont Cottonwood, and thickets of Coyote Willow. Side canyons host sensitive species like Cliff Flower and Monkey Flower as well as high desert plants like Mormon Tea, and Single-leaf Ash. The riparian zone provides stopover and/or nesting sites for migratory waterfowl such as Great Blue Heron, Sandhill Crane, White-faced Ibis, Canada Goose, and a variety of duck species. It also provides critical habitat for the endangered Southwest Willow Flycatcher and Yellow-billed Cuckoo. Other neotropical migrants include Turkey Vulture, Summer Tanager, Northern Oriole, Blue Grosbeak, Black-chinned Hummingbird, and many others. The river and its backwaters provide critical habitat and migratory routes for the endangered Colorado Pikeminnow, Razorback Sucker and other non-endangered fish species. The river floodplain, the cliffs and highlands within the town limits are home to many reptile and amphibian species plus numerous mammals and birds including mule deer, porcupine, raccoon, turkey, raven, coyote, foxes, rabbit, bats, skunk, beaver, rodents and a variety of raptors, owls and cliff swallows. Cougar, Bobcats, and Black Bear are occasional visitors. Critical Wildlife Corridors include the San Juan River and the connected washes and canyons that are tributary to the river.

A host of noxious, invasive, non-native species have come to dominate many areas since European settlement. Along with many others, Russian Olive, Tamarisk, Russian Knapweed, Camelthorn, and Goathead are officially included on the State of Utah Noxious Weed List. By State Law (Rule R68-9, Utah Noxious Weed Act) counties are tasked with weed management and counties then work with federal, state, municipal and private landowners.

Vegetation and Wildlife: Planning Assumptions

1. Planning must account for threatened and endangered species, migratory birds, and wildlife corridors, in accordance with Federal and Utah State Code.

Vegetation and Wildlife: Resulting Policies

1. Consult with state and federal wildlife managers to identify wildlife corridors and critical wildlife habitat areas (Sources: Utah Division of Wildlife Resources, Bureau of Land Management, US Fish and Wildlife Service). Generate maps to aid in planning.
2. Restrict development within identified riparian zones and critical wildlife habitat areas.
3. Encourage the preservation of areas critical to local wildlife as habitats and migration corridors.

Cultural Features

Cultural Features: Current Conditions

Bluff's cultural features include Prehistoric Indigenous sites and Historic sites (Indigenous and Anglo-American) that are protected by Federal and State laws.

Cultural Features: Planning Assumptions

1. Cultural resources will be found within development areas and guidelines will be created to protect them.

Cultural Features: Resulting Policies

1. Identify sources of funding and assistance to mitigate impacts to significant cultural resources affected by development.
2. Encourage a site stewardship ethic for significant cultural resources that occur on private lands.
3. Identify appropriate "hardened" sites in the Bluff area for visitation and education.
4. To the extent allowable by law, create generalized overlay maps to identify areas of prehistoric and historic significance, to guide planning decisions and ordinances.

Section 7: Implementation and Enforcement

General Goal

As a small, rural community, Bluff has historically not had the resources or authority to impose strict zoning ordinances and building codes on the local population. However, in the recent decade, with an influx of new residents, formal incorporation into the Town of Bluff, and increases in building and development, there is an increased concern about the location of businesses, the aesthetics of buildings and homes, and protecting valuable natural, cultural, and aesthetic resources. Moreover, environmental changes in weather, rainfall, water usage, land use, population density, and other conditions could change Bluff's quality of life.

In order to address these concerns, Bluff must adopt ordinances for the enforcement of building codes and for identifying an enforcement authority or officer. Land use and zoning ordinances are the only methods for ensuring that the expansions and additions to our community are done with the well being of all community members in mind. A detached, consistent, and user-friendly enforcement system is needed to guarantee that property values, aesthetics, viewsheds, and environmental quality are protected in a way that benefits all citizens equally.

The following sections of the Utah State Code specify the authority of the community with respect to enforcement of its local codes and ordinances:

Utah State Law/Code:

In accordance with Utah State Code:10-9a-802 - ENFORCEMENT

(1) (a) "A municipality or any adversely affected owner of real estate within the municipality in which the violation of this chapter or ordinances enacted under the authority of this chapter occurs or are about to occur may, in addition to other remedies provided by the law, institute:

(i) injunctions, mandamus, abatement, or any other appropriate actions; or
(ii) proceedings to prevent, enjoin, abate, or remove the unlawful building, use or act.

(b) A municipality need only establish the violation to obtain the injunction."

(2) (a) "The municipality may enforce the ordinance by withholding building permits.

(b) It is unlawful to erect, construct, reconstruct, alter or change the use of any building or other structure within a municipality without approval of a building permit.

(c) The municipality may not issue a building permit unless the plans of and for the proposed construction, reconstruction, alteration, or use fully conform to all regulations then in effect.

In accordance with Utah State Code:10-9a-803 - PENALTIES

1. The municipality may, by ordinance, establish civil penalties for violations of any of the provisions of this chapter or of any ordinances adopted under the authority of this chapter.
2. Violation of any of the provisions of this chapter or of any ordinances adopted under the authority of this chapter is punishable as a class C misdemeanor upon conviction either:
 - a. As a class C misdemeanor; or By imposing the appropriate civil penalty adopted under the authority of this section.

Current Conditions

Before Bluff passes ordinances and a Zoning Map, development defaults to San Juan County and the Interlocal Agreement for planning and zoning, building permits, and public health.

Some residents prefer to live in rural locations such as Bluff precisely because zoning and land use regulations are lax or nonexistent. Therefore, a certain percentage of the population may be resistant to enforcement of such regulations.

The small town charm of the Town of Bluff, where most folks know each other, is part of what draws people to the community. However, that aspect of the community may also prove an impediment to code enforcement. Neighbors may be understandably reluctant to tell a fellow resident that they are out of compliance and may have to pay a fine or go to court. This reality of small-town life must be taken into account in adopting enforcement procedures and appointing an enforcement officer.

The County has failed at times to follow code in Bluff. This has resulted in situations where residents have had to settle grievances directly with their neighbors. This has resulted in hard feelings that might have been mitigated if the community had embraced its own consistent, detached enforcement policy.

Planning Assumptions

1. Bluff must have a clear, simple, stepped process/procedure for handling ordinance enforcement.
2. There is a need for an Ordinance/Code Enforcement and Building Inspector (OEBI) Officer.
 - a. This officer would carry out the Council's due process, as does a sheriff for state or county law.
 - b. A separate enforcement official would eliminate the personal aspect that would exist if a Planning and Zoning or Town Council member had to carry out the investigative part of the Ordinance Enforcement process.

- c. Utilizing the sheriff or deputy to enforce code violations would be an inappropriate method of enforcement. The community would be better served by an OEBI Officer who functioned as a community liaison while still retaining sufficient legal authority to ensure compliance.
 - d. It may be necessary for this officer to be from outside Bluff or the County.
- 3. The ordinance enforcement process needs to be well publicized and understood by the residents
 - a. The process should incorporate hearings.
 - b. The Planning and Zoning Commission, Town Council, and OE Officer need to guarantee that the enforcement process is consistent and predictable, with a reputation for fairness. This will be an essential element in the success of this process.
 - c. The process has to have form letters, complaint forms, and publishable 'outlines' of the process. These need to be formulated and available to the public in written (paper) form and on the Town of Bluff website.
 - d. The process must be consistent and fair in order to ensure citizen cooperation and alleviate any perception of favoritism or inconsistent application of the law.

Resulting Policies

- 1. The Planning and Zoning Commission recommends that the Bluff Town Council hire/appoint an 'Ordinance Enforcement/Building Inspector' (OEBI) Officer. The basic duties of the OEBI Officer would be to:
 - a. Perform the initial investigation of any complaint that is received from a resident or that is initiated by the Town Council or the Planning and Zoning Commission.
 - b. In conjunction with the complainant, initiate the paperwork process as identified in the ordinance and deliver the resulting paperwork to the Planning and Zoning Commission.
 - c. Issue/serve the violation notice.
 - d. Serve papers on the non-compliant party if the process moves to the 'judicial/court step' of the process.
 - e. Observe and maintain an awareness of the condition and changes of all properties within the jurisdiction of the municipality with regard to the observance of all Bluff ordinances.
 - f. Perform all building and property inspections as directed by the Town Council or Planning and Zoning.

2. The Town Council should adopt an enforcement ordinance that identifies a basic stepped process/procedure for the enforcement of Bluff ordinances. Among other elements, this process should include the following:
 - a. An initial investigation of complaints and an attempt to resolve the violation through voluntary compliance.
 - b. Issue a Violation Notice if compliance is not voluntary.
 - i. First, by form letter.
 - ii. Subsequently, a violation notice served personally by the OEBI Officer, if there is no response to the letter.
 - c. Citations as authorized under Town of Bluff ordinances and Utah State Code, as it may from time to time be amended.
 - d. Develop a process should the civil process become 'deadlocked.'
 - e. Proceedings to assist in the prosecution of ordinance violators.

Appendices

- A. Town Boundary Map (2019)
- B. Bluff Incorporation Feasibility Study (2016)
- C. Listening to Bluff Study (2016)
- D. Restrictive Geology Report (2019)
- E. Historic Homes and Places including Bluff City Historic District nomination form
<https://npgallery.nps.gov/NRHP/SearchResults/0fd66a30c2ee41a4bd0039465cae712e?view=list>
- F. USU Study (2019)
- G. Overlay Zones/Historic Preservation Areas Map (forthcoming)
- H. Zoning Districts Map (forthcoming)
- I. Transportation Map (forthcoming)
- J. Engineering Water Study (forthcoming)