10-9a-102 Purposes -- General land use authority.

(1) The purposes of this chapter are to:
   (a) provide for the health, safety, and welfare;
   (b) promote the prosperity;
   (c) improve the morals, peace, good order, comfort, convenience, and aesthetics of each
       municipality and each municipality’s present and future inhabitants and businesses;
   (d) protect the tax base;
   (e) secure economy in governmental expenditures;
   (f) foster the state's agricultural and other industries;
   (g) protect both urban and nonurban development;
   (h) protect and ensure access to sunlight for solar energy devices;
   (i) provide fundamental fairness in land use regulation;
   (j) facilitate orderly growth and allow growth in a variety of housing types; and
   (k) protect property values.

(2) To accomplish the purposes of this chapter, a municipality may enact all ordinances,
    resolutions, and rules and may enter into other forms of land use controls and development
    agreements that the municipality considers necessary or appropriate for the use and
    development of land within the municipality, including ordinances, resolutions, rules, restrictive
    covenants, easements, and development agreements governing:

   (a) uses;
   (b) density;
   (c) open spaces;
   (d) structures;
   (e) buildings;
   (f) energy efficiency;
   (g) light and air;
   (h) air quality;
   (i) transportation and public or alternative transportation;
   (j) infrastructure;
   (k) street and building orientation;
   (l) width requirements;
   (m) public facilities;
   (n) fundamental fairness in land use regulation; and
   (o) considerations of surrounding land uses to balance the foregoing purposes with a landowner’s
       private property interests and associated statutory and constitutional protections.

(3)

   (a) Any ordinance, resolution, or rule enacted by a municipality pursuant to its authority under this
       chapter shall comply with the state's exclusive jurisdiction to regulate oil and gas activity, as
       described in Section 40-6-2.5.

   (b) A municipality may enact an ordinance, resolution, or rule that regulates surface activity
       incident to an oil and gas activity if the municipality demonstrates that the regulation:
       (i) is necessary for the purposes of this chapter;
       (ii) does not effectively or unduly limit, ban, or prohibit an oil and gas activity; and
       (iii) does not interfere with the state's exclusive jurisdiction to regulate oil and gas activity, as
           described in Section 40-6-2.5.

Amended by Chapter 384, 2019 General Session