



Public Works
Planning & Development Services Division
<http://www.utah.gov/pmn/index.html>

Salt Lake County Planning Commission

Public Meeting Agenda

April 11, 2012

8:30 A.M.

THE MEETING WILL BE HELD IN THE COUNTY COUNCIL CHAMBERS, COUNTY GOVERNMENT CENTER, MAIN FLOOR, ROOM #N1100, 2001 SOUTH STATE STREET. ANY QUESTIONS, CALL 468-2000

REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 468-2120 OR 468-2351: TDD 468-3600.

The Planning Commission Public Meeting is a public forum where the Planning Commission receives comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken by the Planning Commission on any item listed on the agenda which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

THERE ARE NO PUBLIC HEARING ITEMS SCHEDULED FOR THIS MEETING.

The public is welcome and encouraged to attend; however, no public comment will be taken.

Business Items – 8:30 a.m.

- 1) Service Appreciation Award for Ron Henline.
- 2) New member welcome and distribution of new member packet(s).
- 3) Adoption of minutes from the February 15, 2012 meeting.
- 4) Update on Salt Lake County Planning Commission Bylaws and Procedures.
- 5) Amendments to Chapter 19.80 Off-Street Parking of the Salt Lake County Zoning Ordinance, file #25661. Presenting the final amendments approved by the County Council.
- 6) Amendments to Chapter 19.82 Signs of the Salt Lake County Zoning Ordinance, file #27680. Introducing new regulations for electronic message center signs.

- 7) Amendments to Chapter 19.72 Foothills and Canyons Overlay Zone of the Salt Lake County Zoning Ordinance, # 26044. Presenting the final amendments approved by the County Council.
- 8) Update from the Wasatch Canyons Today Symposium.
- 9) New Snowbird Applications – Introduction to the Planning Commission by Staff
Public Hearings are currently scheduled for May 16, 2012. No final decisions will be rendered at this meeting.
 - Conditional Use Permit for a Mountain Coaster near the Snowbird Peruvian Lift, file #27661; and
 - FCOZ Waivers for Steam Setback & Slope associated with the proposed Mountain Coaster, file #27666.
- 10) Other Business

Meeting Adjournment

Rules of Conduct for the Planning Commission Meeting

- First: Applications will be introduced by a Staff Member.
- Second: The applicant will be allowed up to 15 minutes to make their presentation.
- Third: The Community Council representative can present their comments.
- Fourth: Persons in favor of, or not opposed to, the application will be invited to speak.
- Fifth: Persons opposed to the application will be invited to speak.
- Sixth: The applicant will be allowed 5 minutes to provide concluding statements.

- Speakers will be called to the podium by the Chairman.
- Because the meeting minutes are recorded it is important for each speaker to state their name and address prior to making any comments.
- All comments should be directed to the Planning Commissioners, not to the Staff or to members of the audience.
- For items where there are several people wishing to speak, the Chairman may impose a time limit, usually 2 minutes per person, or 5 minutes for a group spokesperson.
- After the hearing is closed, the discussion will be limited to the Planning Commission and the Staff.



March 20, 2012

File #25561 Front Yard Parking Amendments

Salt Lake County requested approval to amend sections of two Salt Lake County Ordinance Chapters in Title 19 Zoning, Chapter 19.04 Definitions and Chapter 19.80 Off-Street Parking Requirements: Section 035 Parking in R-1 and R-2 Residential Zones.

PETER M. CORROON
Salt Lake County Mayor

Patrick Leary
Public Works Department
Director

**PLANNING &
DEVELOPMENT
SERVICES**

Rolen Yoshinaga
Planning & Development
Division Director

Salt Lake County
Government Center
2001 South State Street
Suite N-3600
Salt Lake City, UT 84190-
4050

801 / 468-2000
801 / 468-2169 fax

The Salt Lake County Council unanimously approved the amendments at the first reading on March 13, 2012. Staff is awaiting official approval of the amendments at the second reading to be on March 20, 2012.

Attached is the final ordinance to be approved. The ordinance has been reformatted to be more clearly organized based on type of vehicle. A substantial change was made that allows recreational vehicles to be parked on a gravel "RV pad" consisting of 6 inches of compacted gravel (kept weed free).

SALT LAKE COUNTY ORDINANCE

Ordinance No. _____, 2012

FRONT YARD PARKING AMENDMENTS

AN ORDINANCE AMENDING CHAPTER 19.04: DEFINITIONS AND 19.80: OFF-STREET PARKING REQUIREMENTS RESTRICTING THE PARKING OF VEHICLES IN THE FRONT AND STREET SIDE YARD AREAS OF RESIDENTIALLY ZONED PROPERTIES.

The County Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made here are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Section 19.04.315 of Chapter 19.04 of the Salt Lake County Code of Ordinances, 2001, is amended and sections 19.04.551, 19.04.553, and 19.04.554 are hereby added to Chapter 19.04 to read as follows:

Chapter 19.04 – DEFINITIONS

19.04.315 – Junk

A. "Junk" means any salvaged or scrap copper, brass, iron, steel, metal, rope, rags, batteries, paper, wood, trash, plastic, rubber, tires, waste or other articles or materials commonly designated as junk. Junk, except as provided in subsections (B) or (C), shall also mean any dismantled, wrecked or inoperable motor vehicles or recreational vehicles or parts thereof which are stored or parked on property outside of an enclosed building and which remain in such condition for a period of time in excess of sixty days. An automobile, truck or bus shall be considered inoperable if it is not currently registered and licensed in this state or another state.

B. One truck with a capacity of one ton or less or automobile which is not currently licensed and registered in this state or another state but is otherwise operable may be stored on property

for a period not to exceed two years if it is secured with the windows closed, the trunk and hood closed and the doors locked and is not damaged exposing jagged metal; or

C. One truck with a capacity of one ton or less or automobile which is inoperable may be stored in a side yard, except a side yard which faces on a street or a rear yard on property for a period not to exceed two years provided:

1. The automobile or truck is secured with the windows closed, the trunk and hood closed and the doors locked and is not damaged exposing jagged metal; and
2. The automobile or truck shall not be visible from any public street; and
3. The automobile or truck is entirely concealed by a covering which is maintained in good condition and which does not extend closer to the ground than the lowest point of the vehicle body.

D. All existing legal nonconforming motor vehicles as of the effective date of the ordinance codified in this section, or any amendment hereto, shall comply with the provisions of this section within one year from the date of the enactment of this section or any amendment thereto.

19.04.551 – Vehicle, Commercial

“Commercial vehicle” means any motorized vehicle or trailer used for or intended for business use – including but not limited to the transportation of commercial equipment, merchandise, produce, freight, commodities, passengers, or animals – and which is characterized by any of the following:

- A. Heavy equipment, such as earth movers, backhoes, cranes, forklifts, bulldozers, and the like, which are commonly used for construction, excavation, demolition, or lifting;

vehicles used to haul equipment or materials, such as dump trucks, tanker trucks, semi-tractors, semi-trailers, cement trucks, or other similar vehicle.

- B. Pickup trucks over one ton with a commercial modification, such as a flat bed, a dumping mechanism, mechanical lifts or arms for loading and unloading materials/equipment, aerial buckets or platforms, or other similar feature.
- C. Vehicles with more than two axles.
- D. Vehicles that exceed eight (8) feet in height.

19.04.553– Vehicle, Private

“Private vehicle means an automobile, sport utility, crossover, pickup truck, motorcycle, or similar motorized device in which a person or thing is, or can be, transported from one place to another, except commercial or recreational vehicles as defined in this chapter.

19.04.554 – Vehicle, Recreational

“Recreational vehicle” means a vehicle, snowmobile, trailer, camper, or watercraft with or without a motor, designed and constructed for recreational use or as temporary living quarters for travel or vacation purposes. Recreational vehicle does not include human or battery powered personal apparatuses, such as bicycles, kick-scooters, or children’s toys.

SECTION III. Article I. of Chapter 19.80 of the Salt Lake County Code of Ordinances, 2001, is amended to add section 19.80.035 as follows (section 19.80.030, while not being amended is shown for reference):

Chapter 19.80 - OFF-STREET PARKING REQUIREMENTS

Article I. – General Provisions

19.80.030 - Specifications.

C. Surfacing. Except for "provisional parking areas" as allowed under Section 19.80.110 of this chapter, any off-street parking area located in an R-, C-, M-, MD-, or O-R-D zone shall be surfaced with an asphaltic or portland cement or other binder pavement, so as to provide a durable and dustless surface, shall be so graded and drained as to dispose of all surface water accumulated within the area, and shall be so arranged and marked as to provide the orderly and safe loading or unloading and parking and storage of vehicles. Surfacing requirements for parking areas located in FR-, FM-, A-, FA-, and S-1-G zones shall take into account the proposed land use, location of the property, and impact of paved parking.

19.80.035 – Parking in R-1 and R-2 Residential Zones

A. Driveways. A driveway shall be provided for vehicular access from the street or right of way to the required parking spaces of any dwelling in an R-1 or R-2 zone. The driveway shall be constructed of a durable, hard surface such as: concrete (including permeable concrete), asphalt (including permeable asphalt), brick, pavers, stone, or block. The number, location, and width of driveways shall comply with the specifications set forth in sections 14.12.110 and 14.36.060 of the County Code of Ordinances. Driveways over 150 feet in length are subject to approval by the Fire Authority. The area within the front yard of any single or two family dwelling not occupied by a driveway or parking surface set forth above shall be landscaped in compliance with the applicable provisions of this title regulating landscaping.

B. Private vehicles. Private vehicles parked on residential property in any R-1 or R-2 zone shall comply with the following:

1. If parked or stored on a paved surface in compliance with section 19.80.030.C or 19.83.035.A, a private vehicle may be located in the front yard, side yard, or rear yard of a dwelling.

2. If parked or stored on any other type of surface, private vehicles must be behind the front line of the dwelling and screened from view from public streets or neighboring properties with a six-foot tall (minimum) opaque fence.

C. Recreational Vehicles. Recreational vehicles parked or stored on residential property in any R-1 or R-2 zone shall comply with the following:

1. If parked or stored on a paved surface in compliance with section 19.80.030.C or 19.83.035.A, a recreational vehicle may be located in the front yard, side yard, or rear yard of a dwelling. Additionally, a recreational vehicle may be parked or stored on a parking pad which is constructed of 6 inches of compacted gravel. This area must be kept weed free.

2. If parked or stored on any other type of surface, recreational vehicles must be behind the front line of the dwelling and screened from view from public streets or neighboring properties with a six-foot tall (minimum) opaque fence.

D. Commercial vehicles. Commercial vehicles shall not be parked or stored on residential property in an R-1 or R-2 zone, except in the following circumstances:

1. Commercial vehicles may be parked on a property in conjunction with lawfully-permitted construction, maintenance, or site development activities so long as said activities are diligently pursued.

2. One commercial vehicle may be parked behind the front line of the dwelling and screened from view from public streets or neighboring properties with a six-foot tall (minimum) opaque fence.

3. One commercial vehicle may be parked in the front yard or side yard of a dwelling, in the R-1 or R-2 zones upon issuance of a permit by Planning and Development Services, as long as all of the following criteria are met:

- a. No other commercial vehicle is parked or stored on the property.
- b. The operator of the vehicle is required to be on call 24 hours a day to use the vehicle in response to an emergency;
- c. The commercial vehicle is parked on a paved surface in compliance with section 19.80.030.C or 19.80.035.A;
- d. The commercial vehicle is parked entirely on private property, not parked on or over the street or sidewalk; and
- e. The commercial vehicle does not exceed Class 5 (two-axle, six tire single unit trucks) in Federal Highway Administration vehicle classification.

SECTION IV. This ordinance shall be effective fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

APPROVED AND ADOPTED this _____ day of _____, 2012.

SALT LAKE COUNTY COUNCIL

By: _____
DAVID WILDE, Chairman

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Norm J. Wittmann

ORDINANCE HISTORY

Councilman Bradley voting	_____
Councilman Burdick voting	_____
Councilman Bradshaw voting	_____
Councilman DeBry voting	_____
Councilman Horiuchi voting	_____
Councilman Iwamoto voting	_____
Councilman Jensen voting	_____
Councilman Snelgrove voting	_____
Councilman Wilde voting	_____

Vetoed and dated this _____ day of _____, 2012.

By: _____
MAYOR PETER CORROON
OR DESIGNEE

(Complete as Applicable)

Veto override: Yes ___ No ___ Date _____
Ordinance Published in Newspaper: Date _____
Effective Date of Ordinance: _____

SUMMARY OF

SALT LAKE COUNTY ORDINANCE NO. _____

On the _____ day of _____, 2012, the County Council of Salt Lake
County adopted Ordinance No. _____ which amends chapter 19.04 and chapter 19.80

of the Salt Lake County Code of Ordinances. These new amendments set specific requirements regarding the parking of vehicles in the front and street side yard areas of residentially zoned properties and make other related changes.

SALT LAKE COUNTY COUNCIL

By: _____
DAVID WILDE, Chairman

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Norma J Christensen

- Councilman Bradley voting _____
- Councilman Burdick voting _____
- Councilman Bradshaw voting _____
- Councilman DeBry voting _____
- Councilman Horiuchi voting _____
- Councilman Iwamoto voting _____
- Councilman Jensen voting _____
- Councilman Snelgrove voting _____
- Councilman Wilde voting _____

A complete copy of Ordinance No. _____ is available in the office of the Salt Lake County Clerk, 2001 South State Street, N2100A, Salt Lake City, Utah.



March 20, 2012

File #27680 Electronic Message Center Sign Amendments

Salt Lake County is requesting approval to amend sections of two Salt Lake County Ordinance Chapters in Title 19 Zoning, Chapter 19.04 Definitions and Chapter 19.82 Signs: Section 135 Electronic Message Centers.

**PETER M.
CORROON**
Salt Lake County Mayor

Patrick Leary
Public Works Department
Director

**PLANNING &
DEVELOPMENT
SERVICES**

Rolen Yoshinaga
Planning & Development
Division Director

Salt Lake County
Government Center
2001 South State Street
Suite N-3600
Salt Lake City, UT 84190-
4050

801 / 468-2000
801 / 468-2169 fax

The Salt Lake County Planning and Development Services staff has created a working draft of proposed electronic message center (EMC) regulations for signs. This will be presented to the Planning Commissions at their April business meetings for introduction prior to the working draft being sent to the Community Councils the following week. Input from these groups, as well as the public, will be incorporated into a more complete draft to go before the Planning Commissions for public hearing at the June meetings.

Attached is the working draft of the proposed EMC amendments.

SALT LAKE COUNTY ORDINANCE

Ordinance No. _____, 2012

ELECTRONIC MESSAGE CENTER SIGN AMENDMENTS

AN ORDINANCE AMENDING CHAPTER 19.82: SIGNS SETTING LIMITATIONS ON THE USE OF ELECTRONIC MESSAGE CENTERS ON SIGNS IN COMMERCIAL AND INDUSTRIAL ZONES.

The County Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made here are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Section 19.82.020 of Chapter 19.82 of the Salt Lake County Code of Ordinances, 2001, is amended to add the following:

Chapter 19.82.020 – DEFINITIONS

“Animation” means simulated movement created by the display of a series of pictures or Images, creating the illusion of movement.

"Electronic message center" or “EMC” means a mechanism or device which uses a combination of lights, or lighted or unlighted panels which are controlled electrically and electronically to produce words, symbols, pictures, or messages which may [~~flash, travel or scintillate~~] change within a given panel area.

“Fade” means an image transition effect accomplished by varying the intensity of the image, where the first image gradually reduces intensity to the point of not being legible and the subsequent image gradually increases intensity to the point of legibility.

“Footcandle” means the English unit of measurement for illuminance, which is equal to one lumen, incident upon an area of one foot.

“Illuminance” means the photometric quantity most closely associated with the perception of brightness and a measurement of the intensity of light falling on a surface at a given distance from the light source.

“Image” means the display of text, numbers or the likeness of an object or living thing of any type on an EMC.

“Image display duration” means the period of time that an image remains static.

“Image transition duration” means the period of time in which an Image Transition Effect takes place.

“Scintillate” or “Scintillating” means light flashes, light sparkling, light starbursts, light twinkling, light pulsating or any other image transition effect or animation in which an image instantly and repeatedly changes for the purpose of attracting attention.

“Static” means no motion of any type or form.

“Video” means simulated movement created by the display of a series of images, creating the illusion of continuous movement.

SECTION III. Chapter 19.82 of the Salt Lake County Code of Ordinances, 2001, is amended to add section 19.82.135 and amend table 19.82.190 as follows:

Chapter 19.82 - SIGNS

19.82.135 – Electronic Message Centers.

A. An electronic message center shall only display static images. An electronic message center shall not display video images or scintillating images. Transitions from one static image shall fade out and fade in to the next static image without the use of flashing, animation, or movement.

B. Each image must display the full message. The message cannot scroll or separate onto multiple images or screens.

C. All electronic message centers shall be equipped with a sensor or other device that automatically determines the ambient illumination and must be programmed to automatically dim according to ambient light conditions. The nighttime illuminance of an electronic message center shall not increase ambient lighting conditions by more than 0.3 footcandles when measured perpendicular to the electronic message center face at a distance determined by the following formula: Measurement Distance (in feet)= $\sqrt{(\text{Area of electronic message center face (in square feet)} \times 100)}$.

D. Where allowed as a conditional use, conditions may be imposed by the planning commission regarding image display duration, hours of sign operation, sign height, and/or

setbacks from property lines to mitigate impacts on nearby residential properties, to protect critical viewsheds as established in the General Plan, or to prevent potential traffic hazards.

E. Electronic Message Center Conditional Use Requirements, Allowed Sign Types, Allowable Sizes, and Operational Limitations by zone are set forth in Table 19.82.135.

<u>Table 19.82.135</u>					
<u>ELECTRONIC MESSAGE CENTER CONDITIONAL USE REQUIREMENTS, ALLOWED SIGN TYPES, ALLOWABLE SIZES, AND OPERATIONAL CHARACTERISTICS, BY ZONE</u>					
<u>ZONE</u>	<u>ALLOWED SIGN TYPES</u>	<u>CONDITIONAL USE APPROVAL REQUIRED</u>	<u>ALLOWABLE EMC SIZE AS A PERCENTAGE OF TOTAL ALLOWABLE SIGN SIZE PER TABLE 19.82.190</u>	<u>MINIMUM IMAGE DISPLAY DURATION</u>	<u>MAXIMUM IMAGE TRANSITION DURATION</u>
<u>C-2</u>	<u>Monument</u>	<u>No</u>	<u>70%</u>	<u>8 seconds</u>	<u>2 seconds</u>
	<u>Ground if frontage of site is 300 feet or more</u>	<u>Yes</u>	<u>50%</u>	<u>8 seconds¹</u>	<u>2 seconds</u>
<u>C-3</u>	<u>Monument</u>	<u>No</u>	<u>80%</u>	<u>8 seconds</u>	<u>2 seconds</u>
	<u>Ground if frontage of site is 300 feet or more</u>	<u>Yes</u>	<u>50%</u>	<u>8 seconds¹</u>	<u>2 seconds</u>
<u>M-1</u>	<u>Monument</u>	<u>No</u>	<u>100%</u>	<u>8 seconds</u>	<u>2 seconds</u>
	<u>Ground if frontage of site is 300 feet or more</u>	<u>No</u>	<u>75%</u>	<u>8 seconds</u>	<u>2 seconds</u>
<u>M-2</u>	<u>Monument</u>	<u>No</u>	<u>100%</u>	<u>8 seconds</u>	<u>2 seconds</u>
	<u>Ground if frontage of site is 300 feet or more</u>	<u>No</u>	<u>75%</u>	<u>8 seconds</u>	<u>2 seconds</u>

	<u>more</u>				
<u>All Other Zones</u>	<u>None</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>

Table 19.82.135 footnotes:

1. Subject to 19.82.135D above.

ZONE	SIGN	SIZE	HEIGHT	LOCATION	OTHER
(4) C-2, C-3	C-2 Ground or projecting on-premises	48 sq. ft. plus 1 sq. ft. for each foot of frontage over 30 on a street to a maximum of 256 sq. ft. Property abutting a freeway with no frontage on a dedicated street may have one sign as a conditional use located within 30 ft. of the freeway not to exceed 256 sq. ft. and the height shall not exceed 25 ft. above freeway grade. A property having frontage on a dedicated street which connects directly to an on or off ramp of I-15 and is within 600 ft. of the main traveled way of I-15 may have one sign up to 60 ft. high, but not to exceed 25 ft. above freeway grade level and 400 sq. ft.	30 ft. max.	18-inch setback, 1 sign per 300 ft. frontage or part thereof	Illumination may be built into or attached to signs unless exposed to a dwelling on adjacent property or a residential zone boundary in which case it may be allowed with conditional use approval. Rotation and subdued light change may be allowed with conditional use approval. Electronic message center signs are <u>[conditional use] subject to section 19.82.135</u>
	C-3 Ground	48 sq. ft. plus 1 1/2 sq.	30 ft.	No setback	Illumination may be

	or projecting on-premises	ft. for each foot of frontage over 30 on a street to a maximum of 300 sq. ft. Property abutting a freeway with no frontage on a dedicated street may have one sign as a conditional use located within 30 ft. of the freeway not to exceed 300 sq. ft. and the height shall not exceed 25 ft. above freeway grade. A property having frontage on a dedicated street which connects directly to an on or off ramp of I-15 and is within 600 ft. of the main traveled way of I-15 may have one sign up to 60 ft. high, but not to exceed 25 ft. above freeway grade level and 400 sq. ft.	max.	required, 1 sign per 300 ft. frontage or part thereof	built into or attached to signs unless exposed to a dwelling on adjacent property or a residential zone boundary in which case it may be allowed with conditional use approval. Rotation and subdued light change may be allowed with conditional use approval. Electronic message center signs are [permitted use] <u>subject to section 19.82.135</u>
	Monument on-premises	32 sq. ft. plus 1 sq. ft. for every 4 ft. of frontage over 30 on a street to a maximum of 64 sq. ft.	6 ft. max.	18-inch minimum setback, 1 sign per 300 ft. frontage or part thereof	A monument sign can be utilized in lieu of a ground or projecting sign. <u>Electronic message center signs are subject to section 19.82.135</u>
(5) M-1, M-2	Ground or projecting on-premises	48 sq. ft. plus 1 sq. ft. for each foot of frontage over 30 on a street to a maximum of 256 sq. ft. A property having frontage on a dedicated street which connects directly to an on or off ramp of I-15 and is within 600 ft. of	35. ft. max.	15 ft. setback, 1 sign per 300 ft. frontage or part thereof	Illumination may be built into or attached to sign. Electronic message center signs are [permitted uses] <u>subject to section 19.82.135</u>

		the main traveled way of I-15 may have one sign up to 60 ft. high, but not to exceed 25 ft. above freeway grade level and 400 sq. ft.			
	Monument on-premises	32 sq. ft. plus 1 sq. ft. for every 4 ft. of frontage over 30 on a street to a maximum of 64 sq. ft.	6 ft. max.	18-inch minimum setback, 1 sign per 300 ft. frontage or part thereof	A monument sign can be utilized in lieu of a ground or projecting sign. <u>Electronic message center signs are subject to section 19.82.135</u>

SECTION IV. This ordinance shall be effective fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

APPROVED AND ADOPTED this _____ day of _____, 2012.

SALT LAKE COUNTY COUNCIL

By: _____
MAX BURDICK, Chairman

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

ORDINANCE HISTORY

Councilman Bradley voting	_____
Councilman Burdick voting	_____
Councilman Bradshaw voting	_____
Councilman DeBry voting	_____
Councilman Horiuchi voting	_____
Councilman Iwamoto voting	_____
Councilman Jensen voting	_____
Councilman Snelgrove voting	_____
Councilman Wilde voting	_____

Vetoed and dated this _____ day of _____, 2012.

By: _____
MAYOR PETER CORROON
OR DESIGNEE

(Complete as Applicable)

Veto override: Yes ___ No ___ Date _____

Ordinance Published in Newspaper: Date _____

Effective Date of Ordinance: _____

SUMMARY OF

SALT LAKE COUNTY ORDINANCE NO. _____

On the _____ day of _____, 2012, the County Council of Salt Lake County adopted Ordinance No. _____ which amends chapter 19.04 and chapter 19.82 of the Salt Lake County Code of Ordinances. These new amendments set specific requirements regarding the use of electronic message centers on signs in commercial and industrial zones and make other related changes.

SALT LAKE COUNTY COUNCIL

By: _____
MAX BURDICK, Chairman

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Councilman Bradley voting	_____
Councilman Burdick voting	_____
Councilman Bradshaw voting	_____
Councilman DeBry voting	_____
Councilman Horiuchi voting	_____
Councilman Iwamoto voting	_____
Councilman Jensen voting	_____
Councilman Snelgrove voting	_____
Councilman Wilde voting	_____

A complete copy of Ordinance No. _____ is available in the office of the Salt Lake County Clerk, 2001 South State Street, N2100A, Salt Lake City, Utah.



**SALT LAKE
COUNTY**

COUNTY COUNCIL

David A. Wilde, Chair
District #3

Randy Horiuchi
At-Large A

Richard Snelgrove
At-Large B

Jim Bradley
At-Large C

Arlyn Bradshaw
District #1

Michael H. Jensen
District #2

Jani Iwamoto
District #4

Steven L. DeBry
District #5

Max Burdick
District #6

March 6, 2012

Mr. Sim Gill
District Attorney
Rm. S3500, Government Center
Salt Lake City, Utah

Attention: Thomas Christensen
Deputy District Attorney

Dear Mr. Christensen:

The Salt Lake County Council, at its meeting held this day, approved the attached ORDINANCE NO. 1724 regarding the Foothills and Canyons Overlay Zone (FCOZ), clarifying waiver criteria, permissible slope waiver ranges, and the definition of "ski resort" or "mountain resort" to include year-round resort activities, and making other related changes.

A copy of the ordinance summary has been sent to the newspaper for publication.

Respectfully yours,

SALT LAKE COUNTY COUNCIL

SHERRIE SWENSEN, COUNTY CLERK

By Linda C. Duffy
Deputy Clerk

gg

pc: Bibi Whitehead/District Attorney
Planning & Development Services ✓
Newspaper

SALT LAKE COUNTY ORDINANCE

ORDINANCE NO. 1724 March 6, 2012

FOOTHILLS AND CANYONS OVERLAY ZONE

AN ORDINANCE AMENDING SECTION 19.72.060, ENTITLED "ADMINISTRATION AND ENFORCEMENT," AND 19.72.070 ENTITLED "DEFINITIONS," OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, CLARIFYING WAIVER CRITERIA, PERMISSIBLE SLOPE WAIVER RANGES, AND, THE DEFINITION OF "SKI RESORT" OR "MOUNTAIN RESORT" TO INCLUDE YEAR ROUND RESORT ACTIVITES; AND MAKING OTHER RELATED CHANGES.

The County Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Section 19.72.060 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

19.72.060 - Administration and Enforcement.

C. Waivers and Modifications for ~~Ski~~ Mountain Resorts, Public Uses, and Mineral Extraction and Processing Uses.

5. Criteria for Approval. Waivers or modifications to the development standards of this chapter may only be approved [~~upon evidence establishing~~] subject to satisfying those of the following criteria[;] deemed applicable by the development services director or planning commission, depending upon which has jurisdiction over the particular proposal:

a. That the improvements proposed are [~~essential~~] important to the operation and maintenance of the property and use, and that no reasonable alternative means of satisfying such requirements are feasible or readily available;

- b. That the physical surroundings, shape, or topographic conditions of the specific property involved are such that strict compliance with these regulations would result in [~~extraordinary~~] substantial hardship or practical difficulties, or a substantial economic hardship (as defined in Section 19.72.070) for the owner of the property;
- c. That strict or literal interpretation and enforcement of the specified regulation would result in a development approach unintentionally inconsistent with the objectives of this chapter;
- d. That the waivers or modifications granted will result in a development approach which [~~better~~] preserves area views, reduces adverse impacts on existing trees and vegetation, reduces the overall degree of disturbance to steep slopes, protects wildlife habitat, [~~and~~] or reflects a greater degree of sensitivity to stream corridors, wetlands, rock outcrops, and other sensitive environmental features in the vicinity of the proposed improvements;
- e. That the granting of the waiver or modification will not be detrimental to the public health, safety, or general welfare, or materially injurious to properties or improvements in the vicinity;
- f. That the waiver or modification granted shall not have the effect of nullifying the intent and purpose of these regulations;
- g. That the proposed development, as modified by the request, is not in substantial conflict with the goals, objectives, and policies of the adopted community general plan applicable to the area;
- h. That creative architectural or environmental solutions can be applied and used to alternatively achieve the purposes of this chapter;

i. That the development in all other respects conforms with the site design, development, and environmental standards set forth in this chapter, in Chapter 19.73, "Foothills and Canyons Site Development and Design Standards," and in all other applicable ordinances and codes;

j. That the waivers or modifications granted do not result in the violation of other applicable federal, state, and county laws.

7. ~~[Limitations. Notwithstanding the discretion to grant waivers or modifications from the standards set forth in this chapter, in no case shall development other than pedestrian or nonmotorized trails, vehicular access routes for emergency or maintenance purposes, ski runs, ski lifts with supporting appurtenances, or similar recreation access corridors be permitted on slopes greater than forty percent but less than fifty percent, except as otherwise authorized in this chapter. In no case shall roads or vehicular access corridors of any kind be permitted on slopes in excess of fifty percent.]~~ Permissible Slope Waiver Ranges for Eligible Development Activities.
The following table establishes the permissible slope waiver ranges for eligible development activities associated with mountain resorts, public uses, or mineral extraction and processing uses.

<u>Slope Range</u>	<u>Eligible Development Activities</u>
<u>30% or less</u>	<ul style="list-style-type: none"> • <u>No slope waiver required.</u>
<u>Greater than 30% up to 40%</u>	<ul style="list-style-type: none"> • <u>All development activities associated with allowed uses.</u>
<u>Greater than 40% up to 50%</u>	<ul style="list-style-type: none"> • <u>Pedestrian trails;</u> • <u>Non-motorized vehicle trails;</u> • <u>Ski runs, ski lifts and supporting appurtenances;</u> • <u>Mountain resort accessory year-round or non-snow related activities; and</u> • <u>Motorized vehicle roads and trails for emergency or</u>

	<u>maintenance purposes.</u>
<u>Greater than 50%</u>	<ul style="list-style-type: none"> • <u>Pedestrian trails;</u> • <u>Non-motorized vehicle trails;</u> • <u>Ski runs, ski lifts and supporting appurtenances;</u> • <u>Mountain resort accessory year-round or non-snow related activities.</u>

SECTION III. Chapter 19.72.070 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

19.72.070 – Definitions.

For the purposes of this chapter, the following terms shall have the following meanings:

"Minor ski or mountain resort improvements" means construction activities [~~or facilities~~] associated with the ongoing operation and maintenance of previously approved facilities, ski runs, ski trails, ski lifts and related resort appurtenances, equipment, recreational access corridors, pedestrian or non-motorized trails, non-snow related activities and accessory uses, or vehicular maintenance roads constructed or used in connection with the construction, operation or maintenance of a [ski] resort.

"[Ski] Mountain resort" or "ski resort" means any publicly or privately developed recreational use permitted by relevant local, state, and federal authorities [~~with associated facilities and improvements, for downhill or cross-country skiing, snowboarding, snow shoeing, snowmobiling, or~~] for [other] snow-related activities, accessory year-round or non-snow related activities, and associated facilities and improvements. Such uses, activities, and facilities may be conducted [~~operated~~] on a commercial or membership basis, whether solely on privately-owned

property or on privately-owned lots or parcels interspersed with public land under a special use permit from the U.S. Forest Service or other public agency, primarily for the use of persons who do not reside on the same lot or parcel as that on which the recreational use is located. Snow related activities include but are not limited to: downhill skiing, cross-country skiing, snowboarding, snow shoeing, snowmobiling, or other snow-related activities. Accessory year-round and non-snow related activities include but are not limited to: alpine recreational activities; cultural events and festivals; and conference events. Associated facilities and improvements include, but are not limited to: lodging; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of ~~[the facilities as]~~ a year round resort. ~~[This term shall not exclusively include any use which is otherwise listed specifically as a permitted or conditional use in this title.]~~

“Ski resort” means a “mountain resort” as defined above.

SECTION IV. This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

APPROVED and ADOPTED this 6th day of March, 2012.

SALT LAKE COUNTY COUNCIL

David A. Wilde
DAVID WILDE, Chairman

ATTEST:

Sharon Jensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Monica J. Christensen
Deputy District Attorney
Date Feb 9, 2012
TCHRISTE\Public\Works\Ordinances\FCOZAmd_8Feb12.docx

ORDINANCE HISTORY

Council Member Bradley voting	<u>"Nay"</u>
Council Member Bradshaw voting	<u>"Nay"</u>
Council Member Burdick voting	<u>"Aye"</u>
Council Member DeBry voting	<u>"Aye"</u>
Council Member Horiuchi voting	<u>Absent</u>
Council Member Iwamoto voting	<u>"Aye"</u>
Council Member Jensen voting	<u>"Aye"</u>
Council Member Snelgrove voting	<u>"Aye"</u>
Council Member Wilde voting	<u>"Aye"</u>

Vetoed and dated this _____ day of _____, 2012.

By _____
Mayor Peter Corroon or Designee

(Complete As Applicable)

Veto override: Yes__ No__ Date _____

Ordinance published in newspaper: Date _____

Effective date of ordinance: _____

SUMMARY OF

SALT LAKE COUNTY ORDINANCE NO. 1724

On the 6th day of March, 2012, the County Council of Salt Lake County adopted Ordinance No. 1724, which amends Sections 19.72.060 and 19.72.070, of the Salt Lake County Code of Ordinances, 2001, regarding the Foothills and Canyons Overlay Zone to clarify waiver criteria, permissible slope waiver ranges, and, the definition of "ski resort" or "mountain resort" to include year round resort activities; and making other related changes.

SALT LAKE COUNTY COUNCIL

By: David A Wilde
DAVID WILDE, Chairman

ATTEST:

Sherrie Swensen
Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Thomas J Christensen
Deputy District Attorney
Date Feb 9, 2012

ORDINANCE HISTORY

Council Member Bradley voting	<u>"Nay"</u>
Council Member Bradshaw voting	<u>"Nay"</u>
Council Member Burdick voting	<u>"Aye"</u>
Council Member DeBry voting	<u>"Aye"</u>
Council Member Horiuchi voting	<u>Absent</u>
Council Member Iwamoto voting	<u>"Aye"</u>
Council Member Jensen voting	<u>"Aye"</u>
Council Member Snelgrove voting	<u>"Aye"</u>
Council Member Wilde voting	<u>"Aye"</u>

A complete copy of Ordinance No. _____ is available in the office of the Salt Lake County Clerk, 2001 South State Street, N2100A, Salt Lake City, Utah.



STAFF REPORT

Executive Summary									
Hearing Body:	Salt Lake County Planning Commission								
Meeting Date and Time:	Wednesday, April 11, 2012	08:00 AM	File No:	2	7	6	6	1	
Applicant Name:	Snowbird	Request:	Conditional Use						
Description:	27661 CU Mountain Coaster & 27666 Stream Setback & Slope Waivers								
Location:	9500 E Little Cottonwood Canyon Road (Adjacent to Peruvian Lift)								
Zone:	FM-20 Forestry Multi-Family	Any Zoning Conditions?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>			
Planner:	Spencer G. Sanders								

1.0 BACKGROUND

1.1 Summary

Snowbird is requesting Conditional Use Permit approval of an Alpine/Mountain Coaster near the Peruvian lift at the Snowbird Ski & Summer Resort (application 27661). In addition, the applicant is also requesting approval of stream setback and slope waivers for the proposed coaster (application 27666).

1.2 Hearing Body Action

The Conditional Use and Waiver applications are on the Commission's business meeting agenda in order to introduce the proposal to the Commission. The intent is to give the Commission the opportunity to study the proposal documentation submitted by the applicant in advance of the required Public Hearings, which are currently scheduled for the Commission's May 16, 2012 meeting. It is also an opportunity for the Commission to raise questions and issues that they want addressed as part of the Public Hearings in May.

1.3 Application Overview

The proposed location of the coaster is within the resort's existing, developed base area facilities, adjacent to the Peruvian Express ski lift and near the Snowbird Center. The Mountain Coaster will be located entirely on private land owned by Snowbird; public lands are not involved.

A slope waiver is needed in order for the project to be constructed in the proposed location and alignment. The proposed coaster alignment crosses slopes between 30% and 50% (please see attached slope analysis plans). As a point reference, the previous proposal showed areas that were on slopes in excess of 50%.

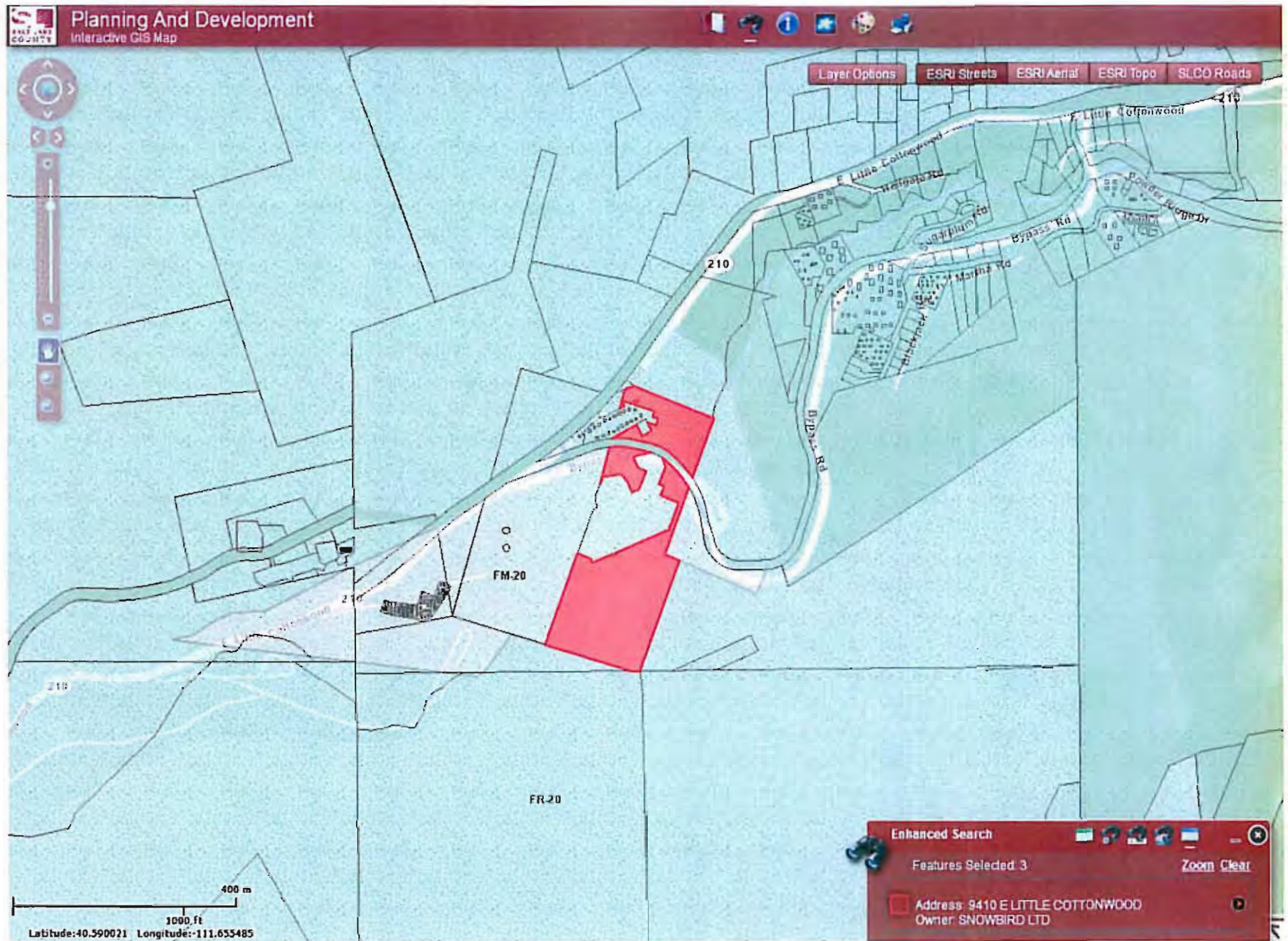
A stream setback waiver is required for two portions of the coaster track; a small portion of the loading platform and access stairs; and the unloading platform. These structures are located within the FCOZ 100-foot stream setback boundary for Little Cottonwood Creek. Current plans propose the following stream setbacks: 56 feet for the final return bend of the track; 50 feet for the speed reducing spiral portion of the track; 78 feet for the access stairs and portion of the loading platform; and a 62 feet for the unload platform. The project is not proposed to encroach into the

Health Department's required 50-foot minimum setback from the creek.

Attached is a narrative of the proposal and the initial plans submitted by the applicant. The plans include: overall site plans and aerials; slope analyses; and photos. The applicant has also provided their analysis of the conditional use criteria, slope waiver criteria, and stream setback waiver criteria. This information will be distributed to the reviewing staff and outside agencies prior to the Commission's April 11th business meeting. It is the intention of the applicant to try to address and resolve the comments from each of the reviewers prior to the Public Hearings in May.

2.0 STAFF ANALYSIS & RECOMMENDATIONS

Staff's analysis and recommendations regarding the two applications will be provided to the Commission as part of the May 16, 2012 Public Hearing packet. The Commission is receiving a copy of the recently County Council approved FCOZ Ordinance Amendments pertaining to Mountain Resorts and FCOZ waiver requests this April 11th meeting packet. A review of the new





**Alpine/Mountain Coaster - Snowbird Ski and Summer Resort
Conditional Use-FCOZ (27661), Slope and Stream Waivers (27666)**

This narrative accompanies an FCOZ Conditional Use application for a proposed Alpine/Mountain Coaster at Snowbird Ski & Summer Resort. A similar proposal was previously reviewed in 2010-2011 (application 25515 & 25552). Following an appeal and ensuing ordinance revision, the Planning Division determined that submittal of a new application is required. Notably, in response to public concerns over a proposed crossing of SR-210/Little Cottonwood Canyon Rd., and the visibility of the coaster track on the south-facing, lowermost slope of Mt. Superior, Snowbird has re-located the coaster. This proposed location is within the resort's existing, developed base area facilities, adjacent to the Peruvian Express ski lift and near the Snowbird Center. The Mountain Coaster will be located entirely on private land owned by Snowbird; public lands are not involved. Please refer to Exhibit 1.

This proposed coaster project is within the Foothills and Canyons Overlay Zone (FCOZ), and requires approval as a Conditional Use. A slope waiver is required for portions of the coaster on slopes between 30% and 50%. A stream setback waiver is required for two portions of the coaster track and a portion of a stairway that are within 100 ft (but outside 50 ft) of Little Cottonwood Creek.

I. Project History. Snowbird previously applied for a mountain coaster in November, 2010, which was approved by the Salt Lake County Planning Commission in January, 2011. Subsequently, the decision of the Planning Commission was appealed. The County's Board of Adjustments reversed the Planning Commission's decision on May, 2010, but in the process, raised broad concerns regarding varying interpretations of the FCOZ ordinance. In response, the County Mayor and Planning Division, with input from multiple stakeholders including SL City Public Utilities, several resorts, and the public, drafted revisions to the FCOZ ordinance to clarify: 1) the definition of a ski ('mountain') resort is to include summer uses, 2) the types of resort activities eligible for slope waivers, and 3) the conditions for granting slope waivers. These ordinance revisions were approved by the County Council on February 28, 2012.

II. Alpine/Mountain Coaster Description and Operation. The Alpine or Mountain Coaster is a gravity-driven, single-rider toboggan-style cart that slides on rails. It is fun and safe for most anyone to ride. The alpine coaster is a permanent installation and may be operated year-around, depending on snow levels, although the primary operational season is spring, summer and fall.

Normal summer hours of operations will apply. Snowbird already operates a number of summer recreational facilities, including a zipline, alpine slide, ropes course, bungee trampoline, etc. which have proven to be extremely popular; wait times well in excess of an hour are not uncommon for the zip line. Demand is high for additional summer recreational activities, and the alpine coaster is expected to be a very popular attraction, as demonstrated by high use in Park City and other resorts.



Riders will board at a loading platform. With the assistance of an operator, riders buckle themselves onto a sled-style cart. Riders can ride singly or double. The sled is then towed up the track with a small-diameter cable. At the top, the cable releases the sled, and riders descend under the power of gravity, using a brake lever to adjust the ride speed to their level of tolerance. The tracks follow multiple turns and spirals, back to the unloading platform.



Alpine/mountain coasters are specifically engineered to the alpine environment, and are a relatively low-impact installation without tall towers, aerial lines, large foundations, heavy grading, or other impacts to the mountain environment. It is not comparable to an amusement park-type roller coaster which has higher capacity cars, towering vertical risers, and relies on hydraulics and/or energy-intensive magnetics to launch the ride to high speeds. The mountain coasters are compatible with existing mountain recreation facilities and with the mountain environment: the track is nestled into the trees, minimizing visibility and adding to the excitement of the ride. The coaster installation is permanent, and may be operated on a year-around basis, so the coaster has been designed for compatibility with skier traffic.



The coaster track is generally elevated 3-4 feet off the ground. The coaster track is supported by low steel struts anchored into the ground with hand-placed soil nails (not cement footings). A spiral loop and skier-trail crossings may be elevated up to 14-15 feet. The uphill track is about 1,000 ft long, and the downhill track length is approx. 2,120 ft. The maximum slope is 39% with an overall 11.5% grade. The elevation change between the top and base is approx. 160 vertical feet.

The coaster loading platform will be located immediately east of the existing Peruvian Express Lift Terminal, within the resort's existing base recreational facilities. The platform will be constructed as a second-story expansion to the existing ski lift operator shack. Site plans showing the existing/proposed building footprints and architectural photo-renderings are attached. No new grading or site disturbance is required, as the Peruvian base area was recently re-graded when this lift was replaced. A small shelter, approximately 8 ft x 8 ft, will also be constructed at the top to allow an operator to monitor riders.

The coaster uses a sealed electric motor, slides on nylon wheels, and does not require or use fuels, lubricants, or hazardous materials for operation or maintenance.

Similar Facilities. Park City Mountain Resort operates a mountain coaster also designed and built by Wiegand GmbH, the company that will build Snowbird's coaster. Photos of PCMR's mountain coaster, which is in a similar forested setting, are used throughout this narrative.

Land Ownership. The proposed mountain coaster is located entirely on private lands owned by Snowbird, within Snowbird's existing developed recreational base area. Salt Lake County is the land use jurisdictional authority; approvals or permits from the U.S. Forest Service are not required. The project does not require modification or expansion of Snowbird's Special Use Permit, nor evaluation under NEPA. Development activity in watershed areas is regulated by Salt Lake City Public Utilities.

Watershed Protection. The site is within watershed managed by Salt Lake City Public Utilities. Snowbird Ski and Summer Resort is a committed partner in watershed protection.

The coaster does not present a threat to, or potentially-negative impact on, watershed, or to surface or ground-water quality:

- The coaster operation and maintenance is a ‘clean’ operation that does not require the use of fuels, lubricants, or chemicals. A sealed electric motor drive (housed within the loading facility) operates the cable that tows the carts up the track. The carts’ nylon wheels glide smoothly on steel tracks; the track and wheels do not use lubricants. No hazardous materials are required for this use, and none are stored onsite.
- Flush toilets are located nearby in the Snowbird Center/Tram Plaza for the use of coaster guests and ride operators (see map). If necessary, the operator at the top of the track can ride a cart or hike down to use the restroom. No septic is involved.
- Site development plans involve minimal grading and removal of vegetation: The base area has already been graded, and installation of the coaster structure does not involve grading or require heavy equipment. Slope disturbance- even on steeper slopes- is negligible. Sediment disturbance or mobilization is not anticipated, however, to minimize the introduction of sediment into surface water or runoff, best management practices- including establishing an LOD and implementing erosion and drainage controls during construction- will be used. Hillside areas disturbed by construction will be restored and re-vegetated, as appropriate.

III. **CONDITIONAL USE STANDARDS FOR APPROVAL** (Chapter 19.84)

The proposed use is a Conditional Use. By ordinance, “Conditional uses shall be approved provided the applicant adequately demonstrates that negative impacts of the use can be mitigated through imposition of reasonable conditions of approval” (*Section 19.84.010, Purpose*). “Each conditional use application shall be 1) Approved [by the Planning Commission] if the proposed use complies with the standards for approval in Section 19.84.060; or, (2) Approved with conditions if the anticipated detrimental effects can be mitigated with the impositions of reasonable conditions to bring about compliance with the standards of Section 19.84.060 (*Section 19.84.050(B)*.” *Standards for Approval* (Section 19.84.060) are discussed in Table 1A. The project meets criteria A-E under “Standards for Approval” for Conditional Uses; thus, the Planning Commission may approve this Conditional Use.

IV. **FCOZ DEVELOPMENT STANDARDS (Chapter 19.72.030)**

The project complies with all of Chapters 19.72 (FCOZ) & 19.73 FCOZ Site Development and Design Standards. Approval requires 1) a Slope Waiver to construct on slopes in excess of 30%, and 2) a stream setback waiver. Relevant sections of the FCOZ ordinance are discussed and evaluated below.

19.72.030(B) Slope Protection Standards. Because of the design of the coaster structure and anchoring system, slope disturbance- even on steeper slopes- is anticipated to be minimal. Providing the Planning Commission approves the requested slope waiver per 19.72.030(B)1 and 19.72.060(C), the provisions of this section are met.

19.72.030(C) Grading Standards. Significant grading is not anticipated. The area proposed for the loading facility building addition was extensively re-graded several years ago, when the Peruvian Express base terminal was replaced. A sediment basin was included as part of that re-grading. The loading platform expansion will not result in significant additional grading or disturbance in this area.



The coaster structure is installed without the use of heavy equipment: Steel struts that support the track are anchored into the ground with 'soil nails' hammered in by hand. Some minor grading may be required to install supports for elevated portions of the track that cross the skier access road (see below and attached photos).



Best-management practices will be implemented during construction, and any disturbed areas will be restored. A Limits of Disturbance (LOD) boundary is shown on the site plans.

19.72.030(D) Streets, Roads and General Access. No new roads are planned. Customers will walk from the Snowbird Center/Tram Plaza across the existing bridge over Little Cottonwood Creek. Construction vehicles will use an existing cat-track/dirt road off the Bypass Road.

19.92.030 E- (Driveways), F- (Trail Access) and G-(Fences)- Not applicable, none proposed.

19.72.030(H) Tree & Vegetation Protection. Part of the allure of the mountain coaster is speeding through the trees, so only minimal vegetation disturbance is desired. The coaster track has a nominal footprint, however, some tree trimming, thinning, or vegetation removal may be required to clear the area within about 3 feet on both sides of the coaster track. Removal, replacement, and revegetation will follow the provisions of this section and the direction of SL County Planning. Unless otherwise directed by SL County, tree re-planting will be accomplished as part of an annual tree-planting effort that Snowbird undertakes in conjunction with the US Forest Service and Tree Utah.



19.72.030(I) Natural Hazards (Avalanche Hazards). None.

19.72.030(J). Stream Corridor and Wetland Protection. This section of FCOZ establishes setback limitations on certain types of structures from perennial and ephemeral streams. There are no ephemeral streams affected by the proposed use. However, Little Cottonwood Creek is a perennial stream: Salt Lake City Public Utilities requires a 50-ft setback from the high water mark of perennial streams, while SL Valley Health Dept requires a larger, 100-ft setback. The coaster track, at two locations, and a stairway to the loading platform are within 100-ft of the high water mark of Little Cottonwood Creek, and do not encroach into the 50-ft setback required by SL City Public Utilities.

Please refer to the attached site plans, where these specific areas are identified, along with dimensions from the stream to the proposed coaster track and loading area.

It is important to note that several years ago, re-development of the Peruvian base area and associated grading was approved within the 100-ft stream setback, and the corner of the lift terminal is sited within the setback 90 ft from the stream. The proposed coaster loading platform building addition will be constructed within this existing disturbance. It is outside the stream setback & further away than the lift terminal, and only the bottom of a stairway is in the setback (78 ft from the stream) (we are not certain that the stairway even requires a waiver). The loop and one turn of the coaster track are as close as 50 ft. These are the only areas that require a waiver from SL Valley Health Dept's stream setback regulations.

The coaster is not the type of structure that would affect stream or water quality. It is an elevated, latticed, open framework bridge-like installation on struts; it does not have flat or impermeable surfaces that would create or affect runoff, nor is it installed in a manner that would affect water quality in the creek, and does not involve the use of chemicals. In form and function, the coaster is much more similar to a bridge than the 'buildings, accessory structures, leach fields and parking lots' etc. regulated in this section (see 19.72.060.J.4.a). In fact, Section 19.72.030.J.7 Bridges, states: "The construction of bridges over a stream corridor *and within the stream setback area* is permitted provided such bridges are planned and constructed so as to minimize impacts on the stream corridor", ie, a waiver is *not* required for bridges. The previous coaster site plan crossed an ephemeral drainage multiple times without triggering a waiver requirement. Snowbird thus inferred that a stream setback waiver was not warranted for this proposed coaster installation. However, Salt Lake County Planning and SL City Public Utilities concluded a stream setback waiver is required as part of the approvals for this proposed use; also, that the waiver must follow 19.2.060(C), Waivers and Modifications for Mountain Resorts (amended February, 2012). Criteria for the stream setback waiver are therefore assessed in Table 1C.

19.72.030(K) Wildlife Habitat Protection. The proposed site is not identified as critical habitat. The proposed development does not present negative impacts to wildlife resources: ie, the height and spacing of the coaster and struts allow movement, feeding, browsing, and sheltering of wildlife.

19.72.030(L) Site Development Standards. Site development standards in this section and in Chapter 19.73 will be met.

19.72.030(M) Traffic. The proposed use is accessory to Snowbird's existing uses and is expected to draw from Snowbird's existing visitation. A traffic study is not required, as the proposed development is not anticipated to create a projected increase in traffic volumes equal to or greater than 50 trip-events per peak hour.

19.72.040 Limits of Disturbance (LOD). The LOD is shown on the attached site plans. The loading platform will be constructed within an existing disturbed area. Construction vehicles and deliveries

will use existing roads. Staging of construction materials will remain within the existing disturbed areas at the base terminal area, and are included in the LOD.

V. WAIVERS AND MODIFICATIONS FOR SKI RESORTS (SLOPE WAIVER)

Provisions for waivers or modifications for mountain resort development activities are included in the ordinance, and may be approved by the Planning Commission under Section 19.72.060(C), subject to applicable criteria in Section 19.72.06(C)5(a-j). A discussion and evaluation of these criteria are provided in Table 1B and discussed below.

19.72.060(C)2a: *Elements that would not be permitted through strict application of the regulation:* The coaster track could not be built if the slope and stream setback regulations were strictly applied. It is not feasible to locate the coaster on a less steep slope. Because it is gravity-driven, the coaster requires a steep slope to operate; there is no technical alternative. Portions of the up- and downhill tracks that cross steeper slopes could not be built. The lowermost spiral and turns that are within the stream setback cannot be eliminated, they are required for deceleration as the coaster returns to the off-loading area. The requested stream and slope waivers are essential to the design, installation and operation of the mountain coaster.

19.72.060(C)2b: *Specific regulations which need to be waived or modified to accommodate this proposed use:*

- 19.72.030(B) Slope Protection Standards. Snowbird requests a waiver from the Slope Protection Standards for portions of the uphill and downhill coaster track that cross slopes in excess of 30%. These are shown graphically on the attached slope analysis. Slopes in excess of 50% have generally been avoided. Criteria for the slope waiver are evaluated in Table 1B.
- 19.72.030(J)- Stream Protection Standards – Two portions of the coaster track and the bottom of a stairway are located within 100-ft of Little Cottonwood Canyon, although they meet the minimum 50-ft setback required by SL City Public Utilities. These areas are shown graphically on the attached site plans, along with linear dimensions from the creek. Criteria for the stream setback waiver are assessed in Table 1C.

19.72.060(C)2c: *Basis, justification or grounds for granting the waivers:* The intent of the mountain resort waiver provisions is provide necessary and appropriate avenues of administrative relief to allow mountain resorts to develop recreational facilities, acknowledging that “the very nature and operational characteristics” of resort activities are challenging in the mountain environment, and strict compliance with the ordinance may be difficult if not impossible to achieve. The requested waivers meet the applicable criteria required under Section 1.72.060(C)a-j.

Snowbird Ski and Summer Resort provides exceptional, diverse, year-around recreational opportunities, allowing visitors to enjoy alpine scenery and safely experience adventurous activities, in a managed, concentrated recreational setting. Most mountain resort activities require steeper slopes to operate. Without the requested slope waiver, development of a coaster- or nearly any alpine recreational use, particularly gravity-powered devices- would be virtually impossible. And, similar coasters are already in use, in similar mountain settings at numerous other resorts in Utah, throughout the US, and around the world. The requested slope waiver is essential to the operation of the use.

The requested stream setback waiver is also essential to the design and operation of the coaster. The configuration of the coaster alignment requires sufficient space for deceleration thru the spiral loop and lower turns. Because of numerous other site constraints, encroachment into the 100-ft stream setback is unavoidable. In any case, the framework of the coaster structure and installation and anchoring methods mean that impacts to the watershed are negligible.

Snowbird has re-located the coaster to a less intrusive site and carefully considered numerous environmental constraints in siting the coaster, including choosing a base area that is already used for resort activities; avoiding existing resort operations and skier traffic; avoiding slopes in excess of 50%; and avoiding encroachment into the 50-ft stream setback required by SL City Public Utilities.

Strict compliance with the ordinance would result in substantial hardship and practical difficulties, and would be inconsistent with the goals and intent of the ordinance, which is to allow mountain resorts adequate administrative relief to facilitate resort operations and development, while being protective of sensitive environmental features.

19.72.060(C)2d: Improvements or design alternatives incorporated into the development that lessen or mitigate impacts on adjacent properties and area characteristics, or enhance the environmental compatibility of the proposed development when compared to other design alternatives.

- Relocating the coaster mitigated concerns regarding impacts to the adjacent, undeveloped slopes. As requested by some members of the public during discussions of the previous coaster proposal (which crossed the road onto the north/Mt. Superior side of Little Cottonwood Canyon Rd.), the coaster has been relocated to a site within Snowbird's existing developed base facilities. This maintains development within the resort's existing facilities, rather than encroaching onto undisturbed slopes north of the road.
- The coaster is compatible with existing, adjacent recreational uses at the resorts.
- The coaster is compatible with the mountain environment and is specifically designed and engineered for alpine settings. Environmental impacts are considerably lessened by the very nature of its design: The coaster track follows land contours rather than modifying natural slope features. It is anchored without concrete footings, minimizing slope disturbances. It does not require extensive grading, slope disturbances, soil removal, heavy equipment, etc. during installation or operation.
- The site development proposal has carefully considered impacts to the mountain environment, and has made every effort to lessen and mitigate those impacts.
- Slopes in excess of 50% were generally avoided in this layout. Also, much of the proposed development is sited within an existing disturbed area.
- A stream setback waiver is required because small portions of the coaster track and a stairway are within the 100-ft perennial setback required by SL Valley Health Dept, but the coaster is outside the minimum 50-ft setback required by SL City Public Utilities. Although a stream setback waiver is required, impacts to the stream are not anticipated because the coaster is a lattice, open-framework structure that does not generate runoff from impermeable surfaces, does not disturb sediment on installation, nor involve the use of chemicals, which are typically are the reason for concern about stream encroachment. Vegetation removal is modest.
- Best management practices will be implemented during construction and restoration of disturbed areas.

This planning and zoning analysis is prepared by Mountain Land Development Services on behalf of Snowbird Ski and Summer Resort. Contents are copyrighted and, except for the client an/or owners, may not be reproduced or excerpted without the express permission of the author and/or client.

Alpine/Mountain Coaster- Snowbird Ski and Summer Resort

TABLE 1A- CONDITIONAL USE STANDARDS FOR APPROVAL

TABLE 1A CONDITIONAL USE Standards for Approval (19.84.060)	<i>Analysis of Criteria</i>
A. The proposed site development plan shall comply with all applicable provisions of the zoning ordinance, including parking, building set backs, and building height.	<i>Presuming the requested waivers are approved by the Planning Commission, this criteria is met.</i>
B. The proposed use and site development plan shall comply with all other applicable laws and ordinances.	<i>This criteria is met.</i>
C. The proposed use and site development plan shall not present a serious traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County transportation master plan.	<i>Met. The proposed use is accessory to, and located within, Snowbird's existing uses and is not anticipated to create an increase in traffic. No new roads or parking area are proposed. The use does not create a traffic hazard.</i>
D. The proposed use and site development plan shall not pose a serious threat to the safety of persons who will work on, reside on, or visit the property nor pose a serious threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.	<i>Met. Project is not impacted by natural hazards, does not create or exacerbate an existing hazard, nor poses a threat to persons or nearby properties.</i>
E. The propose use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.	<i>Met. The proposed use is within Snowbird's existing base area, adjacent to, and compatible with, the resort's other recreational facilities, and remote from adjacent residential properties. There are no adverse impacts on buildings or other uses in the vicinity.</i>

**Alpine/Mountain Coaster- Snowbird Ski and Summer Resort
TABLE 1B- FCOZ CRITERIA FOR SLOPE WAIVER APPROVALS**

FCOZ Criteria for Approval- Waivers & Modifications for Mountain Resorts, 19.72.060(C)5(a-j)	<i>Analysis of Criteria</i>
<p>A. That the improvements proposed are important to the operation and maintenance of the property and use, and that no reasonable alternative means of satisfying such requirements are feasible or readily available;</p>	<p><i>The proposed improvements are important to the operation of the resort, which provides diverse year-around alpine recreational offerings; and ensures long-term economic viability of the resort in a challenging, competitive market. The proposed use supplements Snowbird’s existing year-around facilities. It is typical of uses at other mountain resorts (ie, Park City Mountain Resort, Breckenridge, etc). As with most alpine recreation, the coaster requires a steep slope to operate; it is not feasible to locate the facility on lesser slope; there is no alternative to a slope waiver. This is the least intrusive site for the mountain coaster- it has been re-located from a site that some members of the public felt was intrusive, to a site within Snowbirds’ existing base area facilities. The location avoids interference with resort operations and other recreational uses, including skiing.</i></p>
<p>B. That the physical surroundings, shape, or topographic conditions of the specific property involved are such that strict compliance with these regulations would result in substantial hardship or practical difficulties, or a substantial economic hardship (as defined in Section 19.72.070) for the owner;</p>	<p><i>Strict compliance with the slope limits would result in substantial hardship and practical difficulties: Skiing and other alpine adventure activities by their very nature are located on steeper slopes, and require steep terrain to operate. The coaster is a gravity-driven device that cannot be operated on lesser slopes. Numerous other site constraints exist. Strict compliance with the slope limits would result in a substantial economic hardship, too, as it would prohibit this use as well as most other mountain resort operations that are the basis for the resort’s commercial revenue.</i></p>
<p>C. That strict of literal interpretation and enforcement of the specified regulation would result in a development approach unintentionally inconsistent with the objectives of this chapter;</p>	<p><i>The objectives of this Section are to allow administrative relief to mountain resorts for certain developments, operations and maintenance; strict interpretation of the slope provisions would result in disallowing this use and similar new improvements, which is inconsistent with the objectives of this chapter and with the intent of the ordinance.</i></p>
<p>D. That the waivers or modifications granted will result in a development approach which preserves area views, reduces adverse impacts on existing trees and vegetation, reduces the overall degree of disturbance to steep slopes, protects wildlife habitat, or reflects a greater degree of sensitivity to stream corridors, wetlands, rock outcrops, and other sensitive environmental features in the</p>	<p><i>The proposed site development plan has been modified from the original coaster location submitted in 2010, which met with strong public sentiment regarding a proposed crossing of SR-21, and potential visual aesthetic impacts of the coaster on the lowermost slopes of Mt. Superior. In response, Snowbird re-located the coaster to a site within the resorts’ existing base facilities, which meets the objectives of preserving area views and reflecting a greater degree of sensitivity to environmental features in the vicinity. The loading area is an addition to an existing ski lift building and does not involve significant grading, reducing the area of</i></p>

vicinity of the proposed improvements;	<i>overall disturbance. The coaster is a low-impact use that follows, rather than modifies, natural topographic contours and involves minimal, if any disturbances from grading; the proposed use and siting is sensitive to impacts on slope stability, vegetation, watershed and wildlife.</i>
E. That the granting of the waiver or modification will not be detrimental to the public health, safety, or general welfare, or materially injurious to properties or improvements in the vicinity;	<i>Granting the Slope Waiver would not create a detriment to public health, safety, or welfare. There are no adverse impacts on buildings or other uses in the vicinity. The coaster is located within the resorts existing base area recreational facilities, adjacent lands are owned by Snowbird.</i>
F. That the waiver or modification granted shall not have the effect of nullifying the intent and purpose of these regulations;	<i>The intent of Section 19.72.060(c) is to allow mountain resorts administrative relief for their operations. Granting the requested slope waiver does not nullify the intent of FCOZ as the proposed use adheres to the intent and purpose of FCOZ with regards to facilitating resort operations while being protective of sensitive environmental features.</i>
G. That the proposed development as modified by the request, is not in substantial conflict with the goals, objectives, and policies of the adopted community general plan applicable to the area;	<i>The proposed development is not in conflict with the goals and objectives of the community general plan (1989 Wasatch Canyons Master Plan) regarding ski area improvements. For example, the proposed development is consistent with the WCMPs stated goal: "... to provide diverse opportunities for public enjoyment of the Wasatch Canyons."</i>
H. That creative architectural or environmental solutions can be applied and used to alternatively achieve the purposes of this chapter;	<i>"Creative environmental solutions" include 1) Choosing a low-impact use specially engineered for the alpine environment that involves minimal environmental disturbances, 2) Re-locating the coaster to a site that is within the existing disturbances and facilities of the resort, minimizing aesthetic impacts without affecting existing skier and resort operations; 3) Adopting best-management practices in the installation of the coaster track, which is essentially installed without heavy grading or other severe slope disturbances.</i>
I. That the development in all other respects conforms with the site design, development, and environmental standards set forth in this chapter, in Chapter 19.73 "FCOZ Site Development and Design Standards" and in all other applicable ordinances and codes;	<i>This criteria is met; this is a low-impact installation that is in conformance with FCOZ site development and design standards.</i>
J. That the waivers or modifications granted do not result in the violation of other applicable federal, state, and county laws.	<i>There are no legal violations created by granting the requested Slope Waiver.</i>

Alpine/Mountain Coaster- Snowbird Ski and Summer Resort
TABLE 1C- CRITERIA FOR STREAM SETBACK WAIVER PER 19.72.060.C.5

FCOZ Criteria for Approval- Waivers & Modifications for Mountain Resorts, 19.72.060(C)5(a-j)	<i>Analysis of Criteria</i>
<p>A. That the improvements proposed are important to the operation and maintenance of the property and use, and that no reasonable alternative means of satisfying such requirements are feasible or readily available;</p>	<p><i>The proposed improvements are important to the operation of the resort, which provides diverse year-around alpine recreational offerings; and ensures long-term economic viability of the resort in a challenging, competitive market. The proposed use supplements Snowbird's existing year-around facilities and is typical of uses at other mountain resorts (ie, Park City Mountain Resort, Breckenridge, etc). Configuration of the coaster is constrained by many factors, and because of the limited space in this area and requirement for deceleration, encroachment into the stream setback is unavoidable and no readily available reasonable alternative exists. Only limited portions of the coaster track and a set of stairs encroach into the 100 ft stream setback. The requested stream setback waiver is essential.</i></p>
<p>B. That the physical surroundings, shape, or topographic conditions of the specific property involved are such that strict compliance with these regulations would result in substantial hardship or practical difficulties, or a substantial economic hardship (as defined in Section 19.72.070) for the owner;</p>	<p><i>Strict compliance with the regulations would result in substantial hardship and practical difficulties: Skiing and other alpine adventure activities by their very nature are situated in challenging mountain environments, where multiple environmental considerations must be considered and respected. Configuration of the coaster is constrained by many factors- within an existing disturbed area currently already used for recreation; to avoid negative interference with existing skier operations; avoid slopes >50%; avoid encroachment into 50-ft stream setback. Because of the limited space for required deceleration, encroachment into the stream setback is unavoidable. Practical difficulties would result without the requested waiver and a substantial hardship (economic) would result.</i></p>
<p>C. That strict literal interpretation and enforcement of the specified regulation would result in a development approach unintentionally inconsistent with the objectives of this chapter;</p>	<p><i>The objectives of this Section are to allow administrative relief to mountain resorts for development, operations and maintenance, provided that environmental impacts are suitably mitigated. Considering that minimal, if any, impacts result from the stream setback encroachment, strict interpretation of the stream setback provisions would result in disapproval of this use, which is inconsistent with the objectives of this chapter and the intent of the ordinance.</i></p>

<p>D. That the waivers or modifications granted will result in a development approach which preserves area views, reduces adverse impacts on existing trees and vegetation, reduces the overall degree of disturbance to steep slopes, protects wildlife habitat, or reflects a greater degree of sensitivity to stream corridors, wetlands, rock outcrops, and other sensitive environmental features in the vicinity of the proposed improvements;</p>	<p><i>Granting the stream setback waiver at this location is in keeping with this criteria. The proposed site development plan was modified from the original coaster location, which met with strong public sentiment regarding a proposed crossing of SR-210, and the potential visual aesthetic impacts of the coaster on the lowermost slopes of Mt. Superior. In response, Snowbird relocated the coaster to a site within the resorts' existing base facilities, which meets the objectives of preserving area view and reflecting a greater degree of sensitivity to environmental features in the vicinity. The loading area is an addition to an existing ski lift building, reducing the area of overall disturbance. The coaster is a low-impact use with minimal environmental disturbances; the proposed use and siting is sensitive to impacts on slope stability, vegetation, watershed and wildlife.</i></p>
<p>E. That the granting of the waiver or modification will not be detrimental to the public health, safety, or general welfare, or materially injurious to properties or improvements in the vicinity;</p>	<p><i>Granting the stream setback waiver would not create a detriment to public health, safety, or welfare. There are no adverse impacts on buildings or other uses in the vicinity. The coaster is located within the resorts existing base area recreational facilities, adjacent lands are owned by Snowbird.</i></p>
<p>F. That the waiver or modification granted shall not have the effect of nullifying the intent and purpose of these regulations;</p>	<p><i>The intent of Section 19.72.060(c) is to allow mountain resorts administrative relief for their operations. Granting the requested waiver does not nullify the intent of FCOZ as the proposed use adheres to the intent and purpose of FCOZ with regards to facilitating resort operations while being protective of sensitive environmental features.</i></p>
<p>G. That the proposed development as modified by the request, is not in substantial conflict with the goals, objectives, and policies of the adopted community general plan applicable to the area;</p>	<p><i>The proposed development is not in conflict with the goals and objectives of the community general plan (1989 Wasatch Canyons Master Plan) regarding ski area improvements. For example, the proposed development is consistent with the WCMPs stated goal: "... to provide diverse opportunities for public enjoyment of the Wasatch Canyons."</i></p>
<p>H. That creative architectural or environmental solutions can be applied and used to alternatively achieve the purposes of this chapter;</p>	<p><i>"Creative environmental solutions" include 1) Choosing a low-impact use specially engineered for the alpine environment that involves minimal environmental disturbances, 2) Re-locating the coaster to a site that is within the existing disturbances and facilities of the resort, minimizing aesthetic impacts without affecting existing skier and resort operations; 3) Adopting best-management practices in the installation of the coaster track, which is essentially installed without heavy grading or other severe slope disturbances.</i></p>
<p>I. That the development in all other respects conforms with the site design, development, and environmental standards set forth in this chapter, in Chapter 19.73</p>	<p><i>This criteria is met; this is a low-impact installation that is in conformance with FCOZ site development and design standards.</i></p>

“FCOZ Site Development and Design Standards” and in all other applicable ordinances and codes;	
J. That the waivers or modifications granted do not result in the violation of other applicable federal, state, and county laws.	<i>There are no legal violations created by granting the requested waivers.</i>



Alpine Coaster
with Aerial



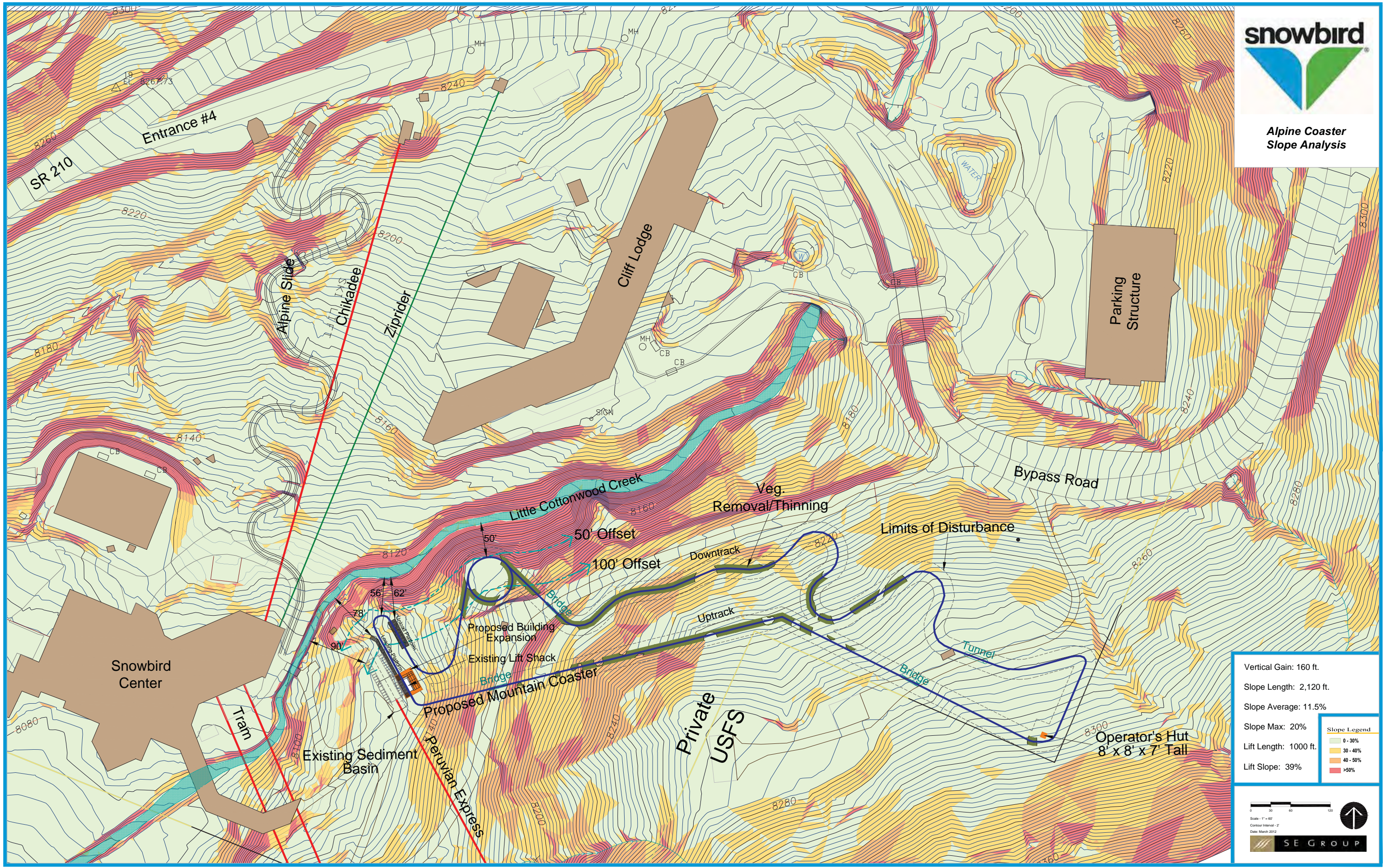
Vertical Gain: 160 ft.
Slope Length: 2,120 ft.
Slope Average: 11.5%
Slope Max: 20%
Lift Length: 1000 ft.
Lift Slope: 39%

0 30 60 90 120
Scale - 1" = 60'
Contour Interval - 2'
Date: March 2012

SE GROUP



Alpine Coaster Slope Analysis



Vertical Gain: 160 ft.
 Slope Length: 2,120 ft.
 Slope Average: 11.5%
 Slope Max: 20%
 Lift Length: 1000 ft.
 Lift Slope: 39%

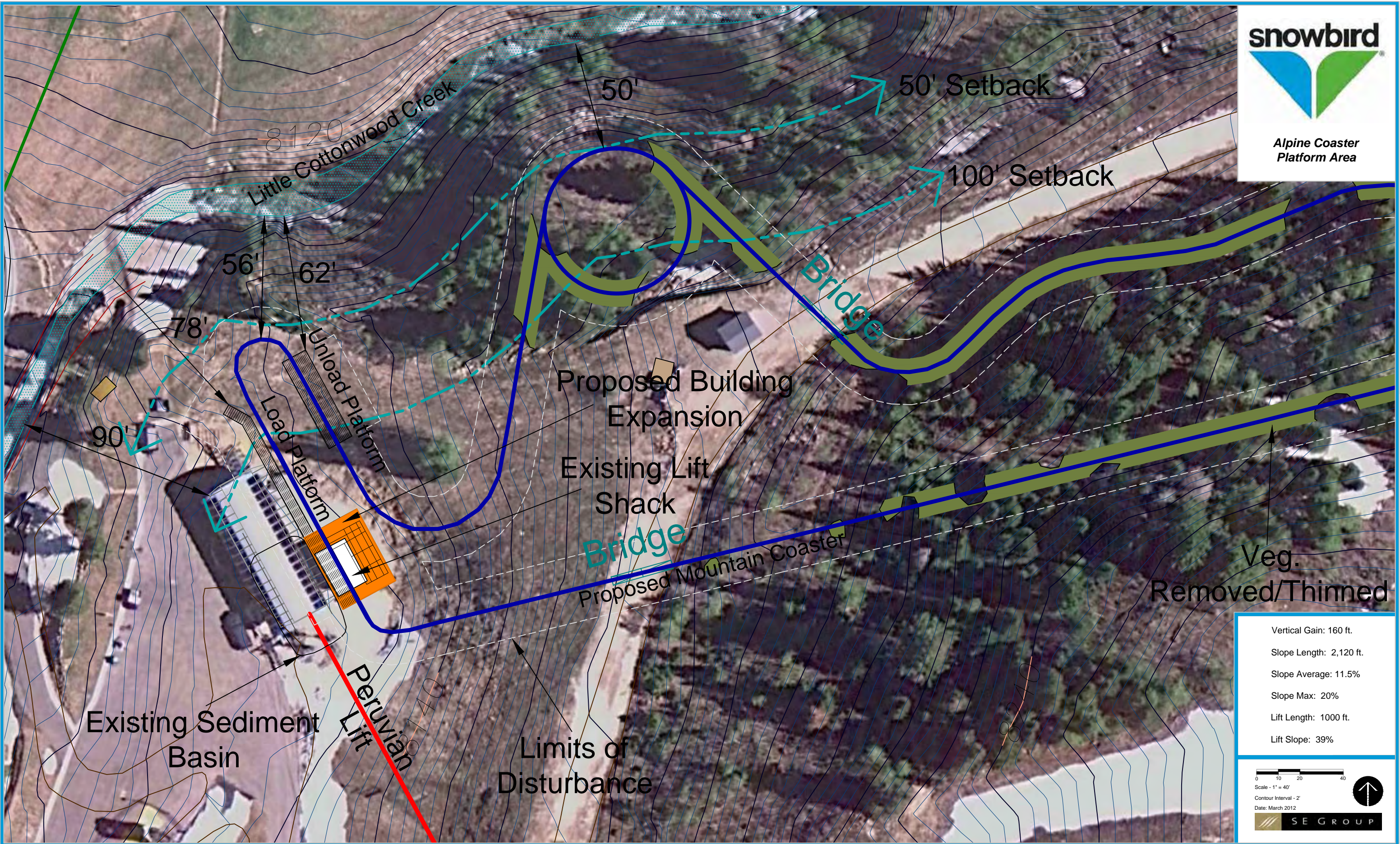
Slope Legend	
0 - 30%	Green
30 - 40%	Yellow
40 - 50%	Orange
>50%	Red

Scale: 1" = 60'
 Contour Interval: 2'
 Date: March 2012

snowbird



Alpine Coaster
Platform Area



Vertical Gain: 160 ft.

Slope Length: 2,120 ft.

Slope Average: 11.5%

Slope Max: 20%

Lift Length: 1000 ft.

Lift Slope: 39%

0 10 20 40

Scale - 1" = 40'

Contour Interval - 2'

Date: March 2012

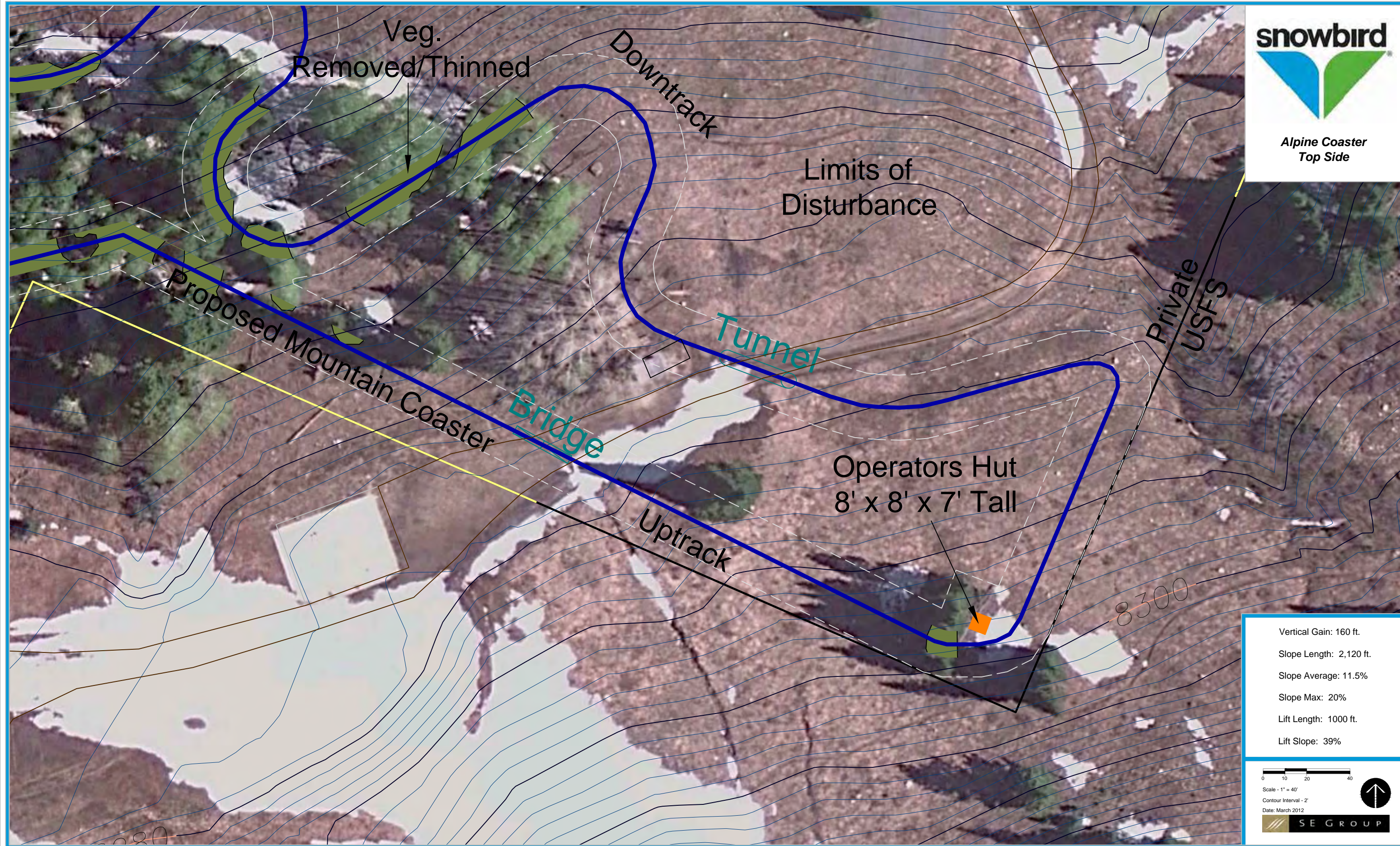


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snowbird



Alpine Coaster
Top Side



Vertical Gain: 160 ft.
Slope Length: 2,120 ft.
Slope Average: 11.5%
Slope Max: 20%
Lift Length: 1000 ft.
Lift Slope: 39%

0 10 20 40
Scale - 1" = 40'
Contour Interval - 2'
Date: March 2012



FCOZ Leg Intent - Bradshaw

- 1) It is the intent of the council to support the upcoming Wasatch Canyons Today Symposium, co-sponsored by Salt Lake County, Salt Lake City and the Forest Service, with the understanding that the symposium will be a starting point for a broader FCOZ revision process. The symposium will lay out a FCOZ revision process that is transparent and encourages public input. It should include monthly updates to the County Council on ordinance development with the opportunity for the council to offer feedback. The objective is to have a final product within a 9-month period that reflects the suggestions and concerns of all FCOZ stakeholders.

- 2) It is the intent of the council that the Mayor's Office bring all ordinance proposals scheduled to be reviewed by other public advisory or decision bodies (i.e. community councils, planning commissions etc...), to a council work study session. An overview of the proposal and anticipated timeline will be provided prior to going out for public review. The objective is to allow council members to be familiar with a proposed ordinance through all stages of development so that they may have a deeper understanding of public concerns and requests prior to formal adoption.