



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

Copperton Township Planning Commission

Public Meeting Agenda

December 12, 2011

1:00 P.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.

Business Items – 12:30 P.M.

Other Business

- 1) **2012 Planning Commission Meetings Calendar**
- 2) **Planning Commission Bylaws/Procedures**
- 3) **Election of Planning Commissioner Chair/Vice Chair**
- 4) **Minutes from November 12, 2011 meeting.**

Decision Items

25661 – 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 19.80 *Off-Street Parking Requirements*: Section 040 Parking in Residential Zones. The proposed amendments to 19.04 more clearly define vehicles, junk, and heavy equipment that may be found in residential yards, and proposed amendments to 19.80.040 set off-street parking standards in residential zones. Planner: Curtis Woodward

26044 – Salt Lake County is requesting approval to amend two sections of Salt Lake County Ordinances in Title 19 *Zoning*, Chapter 72 *Foothills and Canyons Overlay Zone*. These sections are Section 060 *Administration and Enforcement*; and Section 070 *Definitions*. The proposed amendments pertain to ski resort waivers and ski resort summer uses. Planner: Spencer G. Sanders

26610 – Planning and Development Services is seeking approval and adoption of an Electrical Facilities Best Practice for inclusion into Salt Lake County General Plans. The Best Practice would be applicable to all unincorporated areas of Salt Lake County. Planners: Todd A. Draper and Spencer G. Sanders.

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.

Planning Commission Chairman – Opening Statement

A copy of today's agenda and a sign-in sheet are located on a stand at the back of the room. Please note your participation in today's meeting by filling out the form.

The Planning Commission is a voluntary citizen board. The Commission's function is to hear and decide applications for conditional uses and preliminary subdivision plats; and to make recommendations to the County Council for zoning changes or changes to ordinances or general plans.

The Commission's decisions are based on information from field observations, the recommendations from the Planning Staff and other agencies indicating compliance with the general plan and relevant ordinances, the Community Council recommendation as a representation of community concerns, and the information presented at the public meeting. All information presented at today's meeting is recorded, so please speak directly into the microphone, and state your name and address prior to making your comments.

The agenda is divided into 2 main categories: Hearings and Decisions

Hearing Items: are those for which public comment is requested so that the Planning Commission and the applicant can be made aware of all of the issues of concern with regards to the request. No decision will be made for items listed for hearing only.

Decision Items: those applications which have had a hearing or which are substantially in compliance with both ordinance and development standards. A decision or recommendation will be rendered by the Planning Commission for these items.

The meeting will proceed as outlined in the Rules of Conduct printed on the back of the agenda.

Copperton Township Planning Commission
2012 Meeting Schedule

General Meeting Information:

1. All meetings are scheduled to start at 12:30 P.M. (Business items) and Public Hearing items will be scheduled to start at 1:00 P.M.
2. All meetings will be held in the County Council Chambers, County Government Center (2001 S. State), Main Floor, Room # N1100
3. If the time, date or location of a meeting is changed for any reason, notification of that change will be sent to the Planning Commission in advance.
4. In the event that a meeting is cancelled for any reason, notification of that cancellation will be sent to the Planning Commission in advance.

- Wednesday, January 11, 2012
- Wednesday, February 15, 2012
- Wednesday, March 14, 2012
- Wednesday, April 11, 2012
- Wednesday, May 16, 2012
- Wednesday, June 13, 2012
- Wednesday, July 11, 2012
- Wednesday, August 15, 2012
- Wednesday, September 12, 2012
- Thursday, October 10, 2012
- Wednesday, November 14, 2012
- Wednesday, December 12, 2012



**MEETING MINUTE SUMMARY FOR
Copperton Planning Commission Meeting**
Monday, November 14, 2011, 12:30pm

Meeting length about: 1 hour

Number of public in attendance: 0

Summary Prepared by: Deborah Jones

Meeting Conducted by: Commissioner Adair (Chair)

IN ATTENDANCE

Commissioners: *List all those in attendance*

Scott McKee Adair, Hank Arriz, Rosella Rauer, Kris Johnson

Staff: *List all those in attendance*

Travis Van Ekelburg, Deborah Jones, Richard Brockmyer, (District Attorney)

BUSINESS MEETING – 12:30 p.m.

1) Previous Meeting Minutes Review and Approval

a) No meeting minutes to be approved.

2) Electrical Facilities Best Practice – Travis Van Ekelburg

A document was distributed to commissioners that explained the Electrical Facilities Best Practice.

3) 2012 Planning Commission Meetings Calendar

The 2012 meeting calendar has not been finalized. The Planning Coordinator is working with facilities to confirm meeting dates and time. A meeting calendar will be distributed at the next planning commission meeting.

4) Planning Commission Bylaws/Procedures

The proposed Bylaws/Procedures are applicable to all Salt Lake County Planning Commissions. These Bylaws/Procedures were developed with input from Volunteer Services to establish uniform procedures for all planning commissions. Having uniform bylaws/procedures allows the public to have a clearer understanding of how planning commissions operate regardless of which body they attend.

As stated in the Bylaws/Procedures, alternates would only vote if there was not a full contingency. A full contingency consist of 5 regular voting members and 2 alternates. If a full contingency was present, alternates would not vote.

(A draft of the proposed Bylaws/Procedures was distributed to the planning commission. The commission was asked to review the draft and considering recommending approval at the next meeting).

Decision reached by the commission regarding the Bylaws/Procedures:

The commission decided to table the item until next month's meeting to allow them an opportunity to review the draft.

5) Planning Commissioner Terms Discussion

A document was distributed to the commissioners, by staff, which listed their original appointment date and their current term expiration date. Commissioners were asked to report discrepancies to staff who would then report those issues to Sheryl Ivey. It is the goal, of staff, to have a full contingency at each meeting which consists of at least 5 commissioners and 2 alternates.

Comments and Questions by Commissioners to Staff – Planning Commissioner Terms Discussion

The question was raised about commissioners whose terms have expired and whether or not they could continue serving until replaced.

Staff clarified, per Salt Lake County Ordinance, commissioners whose terms have expired, could continue to serve, on the commission, until a replacement was found, or until they were reappointed.

PUBLIC HEARINGS – 1:00 p.m.

6) (#25661- Zoning Ordinance – Curtis Woodward)

Presentation by: *Curtis Woodward, Planning Staff.* – (A Copy of presentation or staff report is available upon request)

Summary: 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 19.80 *Off-Street Parking Requirements*: Section 040 Parking in Residential Zones. The proposed amendments to 19.04 more clearly define private and commercial vehicles that may be parked in residential yards, and proposed amendments to 19.80.040 set off-street parking standards in residential zones.

Recommendations: *Staff is recommending approval – (See Presentation or Staff Report attached hereto)*

Speaker # 1: No public comment

Name:

Address:

Issues:

PUBLIC PORTION OF THE MEETING WAS CLOSED

Comments and Questions by Commission to Staff - #25661- Zoning Ordinance

The commission raised questions about large construction trailers, motor homes, recreational vehicles, the issue of shared or limited parking, street and maintenance parking, stationary vehicles, and commercial vehicles. They inquired how the proposed ordinance would address these issues.

Staff indicated that motor homes were included under the 'recreational vehicle' section of the ordinance, but acknowledged that large construction trailers needed to be more clearly defined in the proposed ordinance. It was agreed that this section of the ordinance should be augmented in order to provide clarification to the current definition of a construction trailer.

Responding to the question regarding shared or limited parking, staff noted that property owners were not overly restricted to the 35 feet total by engineering's definition.

Addressing the issue of street/maintenance parking, staff mentioned that their focus was primarily with parking on private property and the Zoning Ordinance for private property. Issues with street parking and/or maintenance are handled by Engineering, and could better be answered by them.

Responding to the question about vehicles parked continuously, staff commented, that vehicles that are continuously in the same place would be considered in violation of the parking ordinance. According to staff, there was some deliberation about whether or not to include time frames or limits on how long a vehicle could be parked before it was cited. It was decided that time frames or limits would not be included in the ordinance as this may allow owners to find 'loop holes' and prevent them from adhering to the ordinance.

Staff commented that 'recreational vehicles' are required to be screened from view and must be parked on a solid surface.

In response to the question about commercial vehicles staff stated that drivers of commercial vehicles could not apply for a variance which only relates to their property, but noted that a process was being considered in which they could apply for a permit. Staff agreed with the commissioners' decision to table the item until next month to allow them to review the proposed ordinance.

Decision reached by the commission regarding the Parking Ordinance Amendments:

Commissioners stated they could see potential concerns for the residents in Copperton, with the proposed ordinance, as many would be adversely affected by the sections dealing with commercial and recreational vehicles. There was some discussion that the commission would recommend approval at this meeting in order to move the item on to the County Council where more public discussion could occur before adoption. However, it was decided that the commission would obtain “feedback” from Community Councils before proceeding with a recommendation of approval.

The commission agreed to table the item until next month to allow Community Councils to weigh in on the discussion, and to allow more time to review the proposed ordinance. In closing, the question was asked if a process existed in which the driver of a commercial vehicle could apply for a variance or permit should their vehicle exceed the requirements stated in the ordinance.

FINAL

Motion: *Continue the item until after discussion has occurred with the Community Councils, and until more input has been received from community members.*

Motion by: *Commissioner Johnson*

2nd by: *Commissioner Arriz*

Vote: *Unanimous*

Action item: *Staff will distribute a final draft of the proposed ordinance amendments to the planning commission prior to the December meeting, to review, in order to obtain a recommendation of approval.*

For Motion	Against Motion	Abstain	Commissioner Name
Yes			Kris Johnson
Yes			Scott Adair
Yes			Rosella Rauer
Yes			Hank Arriz

ADJOURN

Motion by: *Commissioner Arriz*

2nd by: *Commissioner Johnson*

Time: *1:35 p.m.*



STAFF REPORT

Executive Summary									
Hearing Body:	Copperton Planning Commission								
Meeting Date and Time:	Monday, December 12, 2011	01:00 PM	File No:	2	5	6	6	1	
Applicant Name:	Salt Lake County - PDS	Request:	Ordinance Amendment						
Description:	Amend sections of two SLCO Ord. Chapters: 19.04 and Chapter 19.80								
Location:	N/A								
Zone:	R-1-3 Residential Single-Family	Any Zoning Conditions?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>			
Community Council Rec:	Approval								
Staff Recommendation:	Approval								
Planner:	Curtis Woodward								

1.0 BACKGROUND

1.1 Summary

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 19.80 *Off-Street Parking Requirements: Section 040 Parking in Residential Zones*. The proposed amendments to 19.04 more clearly define vehicles, junk, and heavy equipment that may be found in residential yards, and proposed amendments to 19.80.040 set off-street parking standards in residential zones.

1.2 Neighborhood Response

No neighborhood response has been received at the time of this report.

1.3 Community Council Response

First Draft:

Written response was received from Mt. Olympus and Big Cottonwood Community Councils. The residents of Mt. Olympus were concerned with the maximum driveway width of 24 feet and the inability to park vehicles with commercial signage in the front yard as stated in the original draft. Big Cottonwood Canyon residents expressed concern that the pavement and fencing requirements would not be compatible in the canyon areas, particularly with restrictions listed in FCOZ.

Verbal response from other community councils was given to Planning and Development Services staff that are congruent with the above written concerns. General consensus was that this ordinance amendment would help clean up many neighborhoods where junk is an issue and enforcement of this is difficult. However, some communities were concerned about the burden it would place on low-income homeowners and homeowners with small lots.

All of these responses were considered and shaped the writing of the second draft, which only proposes a minor change to the "junk" definition, and which allows commercial vehicles of limited size to be parked in front yard driveways.

Public (second) Draft:

The public draft was sent to community councils in late September. Written responses were received from the Big Cottonwood Canyon, East Mill Creek, Emigration Canyon, and Granite Community Councils. A presentation was also made at the Association of Community Councils Together meeting, and most members reported back a positive response from their communities with no changes to the ordinance. A few expressed the concern to have the ordinance apply to A-1 (agricultural) zones. Concerns were also raised regarding the limitation of a 12,000 max GVWR for commercial vehicles to be parked in the front yard and whether this was appropriate or too strict.

2.0 ANALYSIS

2.1 Existing Ordinance

Attached is an underlined copy of the proposed ordinance amendments. The proposed changes are briefly explained here:

Chapter 19.04, Definitions: Four new definitions are created through the ordinance amendment: Heavy Equipment, Commercial Vehicle, Private Vehicle, and Recreational Vehicle. In addition, the definition for Junk listed in 19.04.315 was amended to include recreational vehicles that are inoperable, dismantled, or wrecked. These definition amendments will help clarify the provisions in the amended chapter 19.80.40, as well as assist the Code Enforcement Officers in enforcing these provisions.

Chapter 19.80, Off-Street Parking Requirements: 19.80.40 Parking in Residential Zones is a section that was added in this chapter to create off-street parking standards in residential zones. The amendments here strive to protect the residential character of neighborhoods by requiring vehicles parked in the front yard to be only on paved surfaces, as well as limiting the type of vehicles that can be parked in the front yard. These amendments also set a basic landscaping standard for front yards not occupied by paved parking.

Changes were made to the originally proposed amendments once feedback was received from the October and November Planning Commission meetings. Major changes include the type of commercial vehicles that can be parked in the front yard and the addition of alternative surfacing that vehicles can be parked on.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Ordinance Amendment.

3.2 Reasons for Recommendation

- 1) The proposed amendments will help protect the residential character of neighborhoods, which is consistent with the goals of the general plan.
- 2) The current draft ordinance has been crafted in response to the feedback from community councils, County legal counsel, and County Code Enforcement Officers to be simpler, easier to understand, and easier to enforce.

SALT LAKE COUNTY ORDINANCE

Ordinance No. _____, 2011

FRONT YARD PARKING AND LANDSCAPING 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 AND REQUIRING THE LANDSCAPING OF YARD AREAS.

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.

19.80.040-035 – Parking in R-1 and R-2 Residential Zones

A. Only private or recreational vehicles may be parked in the front yard or street-facing side yard of a dwelling in any R-1 or R-2 zone. Vehicles so parked must be upon a driveway with a parking surface in compliance with section 19.80.030 “Specifications.” For the purposes of this section, “other binder pavement” includes permeable asphalt, permeable cement, brick, pavers, stone, or block installed as to provide a durable hard surface parking area, but does not include loose gravel or road base. The location, and width, and area of the parking surface shall not exceed the maximum allowed for a residential driveway set forth in Salt Lake County Ordinance 14.12.110 and 14.36.060.

B. Except as provided in subsections C and D below, all private and recreational vehicles parked on a surface other than that specified in 19.80.030, as well as all commercial vehicles, must be located behind the front line and on a corner lot, behind the street side line of the main building on the lot or parcel and screened from view from public streets or neighboring properties by enclosure within a building or six-foot tall (minimum) opaque fence.

C. One commercial vehicle may be parked in the front yard or street-facing side yard, 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:

1. The operator of the vehicle is required to be on call 24 hours a day to use the vehicle in response to an emergency;
2. The commercial vehicle is parked on a paved surface in compliance with section 19.80.030 “Specifications.” For the purposes of this section, “other binder pavement” includes permeable asphalt, permeable cement, brick, pavers, stone, or block installed as to provide a durable hard surface parking area, but does not include loose gravel or road base. The location and width and ~~area~~ of the parking surface shall not exceed the maximum allowed for a residential driveway set forth in Salt Lake County Ordinance 14.12.110 and 14.36.060;
3. The commercial vehicle is parked entirely on private property, not parked on or over the street or sidewalk; and
4. The commercial vehicle does not exceed Class 5 (two-axle, six tire single unit trucks) in Federal Highway Administration vehicle classification.

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

E. The area within the front yard of any single or two family dwelling not occupied by a driveway/parking surface set forth above shall be landscaped. Front yard landscaping may include features such as pedestrian walkways, gardens, trees, shrubs, lawn, ground cover, xeriscaping, and other similar features in compliance with the applicable provisions of this title regulating landscaping.

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 _____, 2011.

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 _____, 2011.

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 _____, 2011, 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: _____
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.

Referenced Salt Lake County Ordinances

14.12.110 - Driveways.

A. All property shall be limited to the following number of street driveway entrances:

1. For the first two hundred feet of property frontage along a street, a maximum of two driveways, except that single family dwellings shall be permitted only one access unless a circular driveway is utilized. Single-family dwellings on corner lots may be permitted one access on each street frontage if approved by the engineering division and planning and development services director upon a finding that no significant safety impacts will result.
2. For each additional one hundred fifty feet of property frontage along a street, a maximum of one additional driveway may be permitted, if approved by the engineering division and planning and development services director upon a finding that no significant safety impacts will result. In no case shall more than fifty percent of the property frontage along the street be used for driveway purposes.

14.36.060 - Construction regulations.

No permit shall be granted by the planning and development services division for any driveway exceeding thirty-five feet in width. No driveway, including sidewalk, shall be less than six inches thick. When more than one driveway is required for any one parcel of land, a sidewalk island of at least twelve feet shall be provided between driveways, and in no case shall a permit be granted for a driveway that will be within ten feet from the property line where it adjoins any street. It is unlawful for any person to drive any vehicles over or across any such street corner or within ten feet therefrom, as provided in this section. Where, in the opinion of the planning and

development services division it would be dangerous, or where a driveway conflicts with any permanent improvements or waterways, it may refuse to issue the permit and the matter shall be referred to the mayor for decision, in which event a driveway may be permitted at such place if approved by the mayor.

Curtis Woodward

From: Zachary Shaw
Sent: Thursday, October 27, 2011 1:42 PM
To: Curtis Woodward; Spencer G Sanders; Paul Bringhurst
Cc: Patrick Leary; Scott Baird; Thomas L Christensen
Subject: parking ordinances

Gentlemen: as you know, the Planning and Development Services Division (“Division”) is proposing an ordinance that, among other things, regulates parking of commercial vehicles on private property. The current draft of this proposed ordinance is attached. In the course of various planning commission meetings on this ordinance, the question arose whether Salt Lake County had authority to regulate parking on streets within unincorporated Salt Lake County. In my research of this issue, I learned the following.

The county governing body has sole jurisdiction and control over Class B and D roads within the county (essentially all roads that are not State Highways or roads within municipalities). See Utah Code Sections 72-3-103, 105. Under Utah Code Section 72-7-105, a highway authority (which includes the legislative, executive, or governing body of a county) may prohibit vehicles on any roads under its jurisdiction. Pursuant to this statutory authority, Salt Lake County has passed an ordinance regulating parking on County roads—Chapter 11.20 of the Salt Lake County Code.

Section 11.20.060 of this Chapter addresses parking of trucks and commercial vehicles. It defines “commercial vehicle” as “a vehicle in excess of 3/4-ton capacity of whatever make or type designed for or adapted to commercial or agricultural purposes, regardless of the use to which such vehicle is put at any particular time, provided such vehicle is of a type, kind or adaptation commonly known as a commercial or agricultural vehicle.” The term “truck” is defined as “any truck-tractor, panel truck, pickup or other truck in excess of ¾-ton capacity.” This section prohibits the parking of any commercial vehicle, trailer, truck tractor, or truck on any residential street for more than three consecutive hours unless the vehicle is being used to service adjacent properties or streets.

These criteria for a commercial vehicle or truck are different than the criteria currently being discussed for commercial vehicles/trucks parked on private property adjoining the streets. These differences include allowance of a much larger vehicle (12,000 lbs.) to be parked on private property, i.e., a driveway. This raises the question whether the off-street and on-street parking ordinances should be consistent. Any change to Chapter 11.20 should come from the Department of Public Works, as evidenced by the significant role that the traffic engineer has in the Chapter 11.20 parking ordinance scheme. It would not be appropriate for the various planning commissions to propose amendments to Chapter 11.20. It may be helpful for the Department of Public Works and Division of Planning and Development Services to coordinate their efforts in regulating the parking of commercial vehicles on and adjacent to residential streets. Accordingly, I have cc’d Patrick and Scott on this response.

Should you have any questions, please do not hesitate to contact me.

Zachary Shaw
Deputy District Attorney
Office of the District Attorney
2001 S. State Street, S3600
Salt Lake City, Utah 84190-1210

Office: (801) 468-3270
Fax: (801) 468-2646
Zshaw@slco.org
www.districtattorney.slco.org

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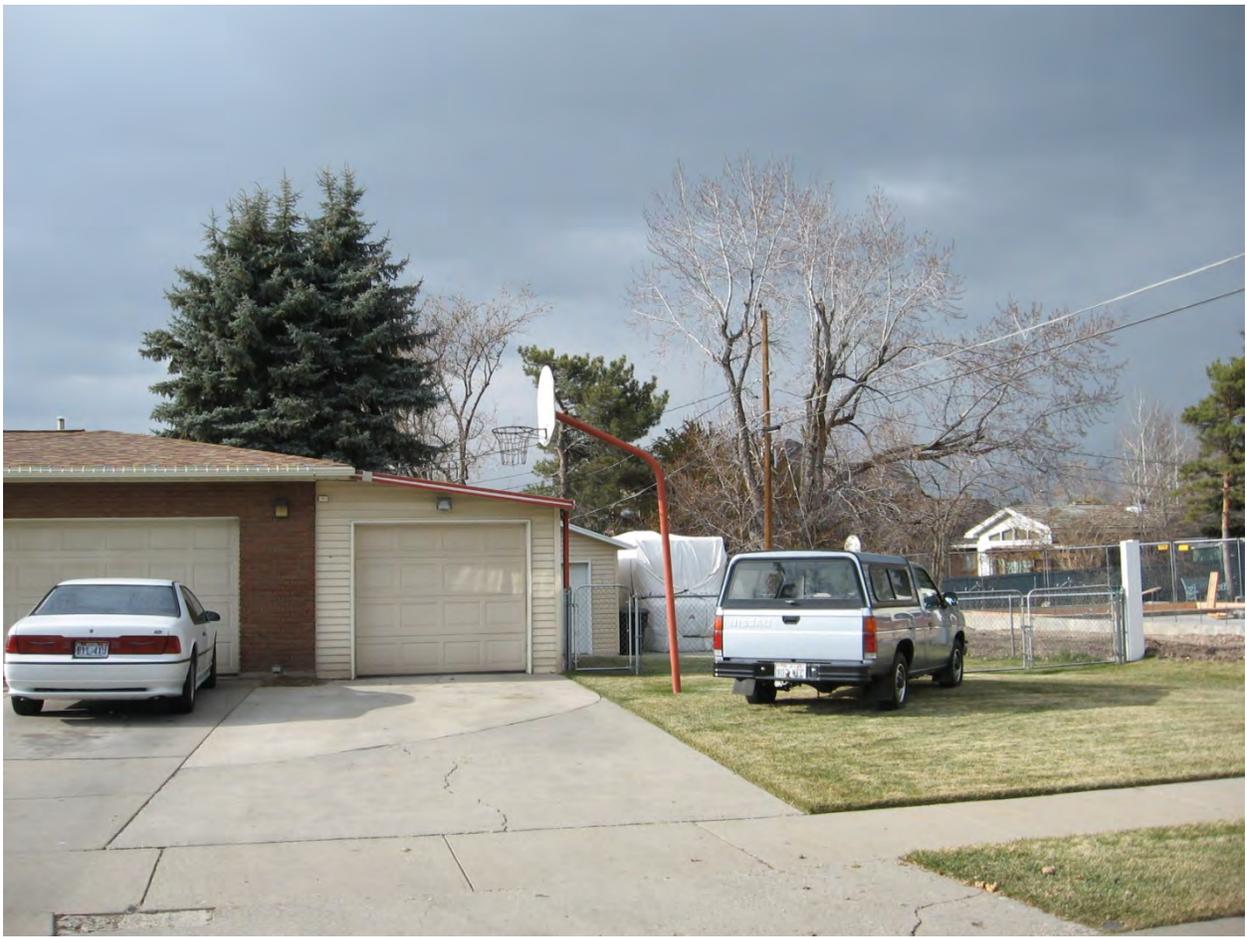


















Front Yard Parking Language from Other Jurisdictions

South Jordan:

<http://sjc.utah.gov/codecompliance-regulations.asp>

Trailers, recreational vehicle:

All trailers, utility, recreational vehicles or boats must be stored behind the front line of the house after 72 hours. Recreational and utility vehicles may be stored permanently in the street side yard of a corner lot only if stored completely behind the front line of the main building and at least eight feet (8') from the street right of way line and if enclosed with a six foot (6') high solid vinyl or masonry fence.

Landscaping:

All required landscape is to be installed prior to obtaining a home occupation permit unless a bond is placed with the City of South Jordan. The front yard or the front and street side yards of a corner lot shall be landscaped and properly maintained with lawn and other acceptable plant material unless otherwise approved with a conditional use permit.

Parking on Lawns:

Parking in an area that is required to be landscaped is prohibited. This is generally the front yard which includes the yard between the driveway and side lot line. On a corner lot, this would be the front and street side yard.

Commercial Equipment:

No commercial vehicles, semi-trucks, trailers, earth moving equipment, forklifts or material handling equipment etc. shall be parked or stored on any property, lot or parcel in South Jordan, except in conjunction with temporary development or construction activities on the lot.

Commercial vehicles shall include semi-trucks and trailers, trucks and trailers equaling or exceeding eight thousand (8,000) pounds' curb weight, delivery vehicles, dump trucks, backhoes, graders, loaders, farm implements, cement trucks, bulldozers, belly dumps and scrapers, forklifts or any similar vehicle or apparatus.

West Jordan:

http://www.wjordan.com/files/Item_8_Parking_Surfaces1.pdf

http://sterlingcodifiers.com/codebook/index.php?book_id=680

E. Parking Restrictions In Single-Family And Duplex Areas:

1. No required parking shall be located in the required front yard or street side yard area. Other parking spaces are permitted, provided all parking and maneuvering areas within a required front yard shall not exceed fifty percent (50%) of the area of the required front yard. Notwithstanding the above requirements, the parking and maneuvering area in a front yard shall not be required to be less than eighteen feet (18') in width.

2. Any vehicles parked in required side or rear yards shall be screened from any street right of way by fencing or vegetation that is sufficient to screen not less than eighty percent (80%) of such vehicles.

B. Design Standards:

1. Single-Family And Two-Family Developments:

- a. **Front Yard And Corner Side Yard Landscaped Areas:** All areas on residential lots located between the front lot line and the main building and between the main building and the lot line of a corner side yard of a corner lot, except driveways, parking areas, walkways, utility areas, approved decks, patios and porches, shall be landscaped with suitable trees, shrubs, ground covers, perennials, other landscaping materials and/or decorative paving. Plants, not including tree canopies, shall cover forty percent (40%) or more of the front or corner side yard landscape area at maturity. Permeable artificial turf may be substituted for turf in all single-family and two-family developments.

D. Location Of Watercraft, Trailers, Campers, Recreational Vehicles And Motor Homes:

Watercraft, trailers, campers, recreational vehicles and motor homes stored in the front yard of any residential lot or on the paved portion of the side yard of a residential lot, shall be subject to the following conditions:

1. Any portion of a parked or stored watercraft, trailer, camper, recreational vehicle, or motor home, shall not be closer than ten feet (10') from the edge of the sidewalk nearest the home or structure, or in the case of no sidewalk, no closer than ten feet (10') from the curb or edge of pavement. In no case shall any portion of a parked vehicle, watercraft, camper, trailer or motor home extend onto a sidewalk.
2. All vehicles, watercraft, motor homes, campers or trailers parked in the front or side yard must meet current licensing requirements and be well maintained.
3. A motor home or travel trailer may be occupied by a guest or guests of the resident for up to fourteen (14) consecutive days per calendar quarter, provided the motor home or travel trailer meets the front and side yard setback requirements.
4. Parking areas for watercraft, trailers, campers, recreational vehicles and motor homes shall have a parking surface constructed of asphalt, concrete, grasscrete, a minimum three-fourth inch ($\frac{3}{4}$ ") or larger gravel mix, pavers, permeable asphalt or concrete, rock, stone, turf block, or any combination of the aforementioned materials. Gravel, gravel mix, crushed rock and stone shall have a minimum depth of four inches (4").

Sandy City:

[http://sandy.utah.gov/fileadmin/downloads/comm_dev/planning_and_zoning/zoning_administration/land_development_code/Chapter%2024%20Parking%20Requirements\(7-30-10\).pdf](http://sandy.utah.gov/fileadmin/downloads/comm_dev/planning_and_zoning/zoning_administration/land_development_code/Chapter%2024%20Parking%20Requirements(7-30-10).pdf)

A. Vehicles Must Be Parked Upon a Hard Surface. All areas utilized for the parking of vehicles shall be paved with a hard surface, e.g., concrete, asphalt, brick, or other water impenetrable surface. This includes the front yard, side yard, and rear yard of the home. It is prohibited to park upon areas that have been landscaped or are reserved for future landscaping.

Exception(s):

- (1) A 6 inch gravel base complying with City specifications may be used for the storage of recreational vehicles. This area must be kept weed free.
- (2) Single family residential properties with animal rights will be allowed to store animal transport trailers. These trailers are not required to be parked on a gravel or hard surface but must be parked within the rear setback of the home.
- (3) Passenger vehicles used for daily transportation located at a residence that existed prior to hard surface parking requirements (concrete or asphalt) are exempt from this requirement. The resident bears the burden of proof relative to this exception.

B. Maximum Area. The maximum area of hard surface for the purpose of parking vehicles on a residential lot shall be restricted to not more than 20 percent of the front yard excluding the driveway providing access to the primary attached or detached garage, 35 percent of the rear yard, and one of the two side yards associated with the lot. Exception: The maximum area of hard surface allowed for residential lots with circular driveways shall be determined on a case by case basis.

E. Parking of Recreational Vehicles.

1. **Parking Location Restrictions.** Recreational vehicles parked or stored at a residence must be located within the rear or side yard of the home. Such vehicles may only be parked or stored within the front yard of a home if it is physically impossible due to natural topography or property boundaries to locate a recreational vehicle within the rear or side yard of a home.
2. **Restricted Parking Area.** No recreational vehicle shall park or extend within a restricted parking area. The restricted parking area is defined as follows:
 - a. **Interior Lots** (non-corner lots). The street right-of-way, which includes the back edge of sidewalk (edge closest to the home, a minimum of 5 feet), or any area in which parking or storing of a recreational vehicle would create a traffic visibility hazard.
 - b. **Corner Lots.** Both frontages shall comply with those standards outlined for interior lots and nothing shall be parked that intrudes into the corner sight visibility triangle as defined by this Code.
3. **Prohibited Parking Locations.** Recreational vehicles shall not be parked or stored within the street right-of-way.
4. **Number of Recreational Vehicles Permitted.** Only one such vehicle may be parked within the front yard and then only when a side or rear yard location is not available. All recreational vehicles parked or stored on a residential lot must be owned by an occupant who resides at the residence.

F. Parking of Commercial Vehicles.

1. **Parking Location Restrictions.** Commercial vehicles parked or stored at a residence must be located within the rear or side yard of the home. Such vehicles may only park within the front yard of a home if it is physically impossible due to natural topography or property boundaries to locate a commercial vehicle within the rear or side yard of the home.

2. Restricted Parking Area. No commercial vehicle shall park or extend within the restricted parking area. The restricted parking area is defined as follows:

a. **Interior Lots** (non-corner lots)

(1) Any area in which parking or storing of the commercial vehicle would create a traffic visibility hazard.

(2) Commercial vehicles less than 24 feet in length and less than 8 feet in height may not be closer than 10 feet from the back edge of the sidewalk (edge closest to the home) or the public right-of-way.

(3) Commercial vehicles between 8 feet and 10 feet in height and less than 30 feet in length shall be parked in the side yard or rear yard.

(4) Commercial vehicles over 10 feet in height or more than 30 feet in length shall not be parked on a residential lot.

(5) Semi-tractors, trailers, or trucks shall not be parked on a residential lot.

b. **Corner Lots.** Both frontages shall comply with those standards outlined for parking or storage of commercial vehicles on interior lots and nothing shall intrude into the corner site visibility triangle as defined by this Code.

c. **Prohibited Parking Locations.** Commercial vehicles shall not be parked or stored within the street right-of-way.

d. **Number of Commercial Vehicles Permitted.** Only one such vehicle may be parked on a residential lot. A commercial vehicle parked or stored on a residential lot must be owned or apportioned by an occupant who resides at the residence.

e. **Storage of Commercial Vehicles.** The storage of any commercial vehicles for a period exceeding 72 hours is prohibited except for a bona fide temporary absence of the owner.

Salt Lake City:

http://www.slcgov.com/citizen/comm_councils/goodneighbor.htm

Housing Issues: Single housing unit – no more than three unrelated adults living together; must have heat & water; cannot collect junk/trash; no parking on lawn; fences not over 4 feet in front, 6 feet in back; vehicles must be on hard surface and be registered. House Numbers: Required, 3 inch, contrasting color. Housing and Zoning: (801) 535-7225.

Cottonwood Heights:

Page 17: http://cottonwoodheights.utah.gov/downloads/code/title_11.pdf

1. No person shall park any controlled vehicle on any public street adjacent to a lot or parcel containing a residential dwelling(s) or on any public street within a residential zone of the city for a period of time longer than two hours within any twenty-four hour period.

2. A controlled vehicle may be stored on the paved portion of the front, side or rear yard of a home on any residential lot, subject to the following conditions:

(a) In no case shall any portion of the controlled vehicle extend onto or over any part of the public right-of-way and/or public sidewalk.

(b) Controlled vehicles stored within the front yard of a lot in a residential zone must be operable and, if legally licensable, licensed and registered.

(c) Without the prior written approval of the city's development review committee (DRC) (as empanelled from time to time by the city's community development director), which shall primarily focus on any safety-related issues posed by parking or storing controlled vehicles hereunder, controlled vehicles shall not be stored within the required side yard setback next to the street on corner lots.

(d) Controlled vehicles may not be stored on any lot in violation of applicable "clear view" or other nationally-recognized safety standards, as determined by the city's community development director in consultation with the city engineer.

(e) Any commercial vehicle, agricultural vehicle or truck stored within the front yard or side yard of a home on any residential lot must be in active use in connection with the occupant's primary trade or business conducted by such occupant at least 20 hours weekly.

(f) No more than a total of three controlled vehicles may be stored or parked on any residential lot that is one-half acre or smaller in size. Up to a total of two additional controlled vehicles may be stored or parked on residential lots larger than one-half acre in size at the rate of one additional controlled vehicles per one quarter-acre of additional lot size, so that, for example, a total of four controlled vehicles may be parked or stored on a residential lot that is .75 acre and up to 1.00 acre in size, and a total of five controlled vehicles may be parked or stored on a residential lot that is 1.00 acre or larger in size.

C. Exception. The prohibitions in this section shall not apply to controlled vehicles actively being used in the servicing of adjacent properties or streets.

D. Conflicting Ordinances. This section shall control and take precedence over any conflicting provisions in this code concerning parking or storage of controlled vehicles.

Taylorsville:

http://www.taylorsvilleut.gov/downloads/bus_dev/n1_ordinances.pdf

Where can I park vehicles on my own property?

No vehicle can be parked in a landscaped or unpaved area in either a front yard or any side yard that can be seen from the street. In other words, a vehicle parked in the front yard or any visible side yard must be on a hard surface driveway (i.e. asphalt or concrete).

West Valley City:

<http://www.wvc-ut.gov/DocumentView.aspx?DID=2254>

Can I park my cars on my lawn or other non-paved surfaces?

- No. All off-street parking spaces and maneuvering areas need to be paved permanently and maintained with asphalt or concrete.

Can I store larger vehicles in residential zones?

- No commercial trucks, tractors, motor vehicles or commercial trailers exceeding 12,000 pounds may not be stored or parked longer than three minutes on any lot or parcel within a residential zone except while loading or unloading merchandise.



STAFF REPORT

Executive Summary									
Hearing Body:	Copperton Planning Commission								
Meeting Date and Time:	Monday, December 12, 2011	01:00 PM	File No:	2	6	0	4	4	
Applicant Name:	Salt Lake County		Request:	Ordinance Amendment					
Description:	Amend two sections of Salt Lake County Ord. - 19.72.060 and 070								
Location:	N/A								
Zone:	FR-5 Forestry & Recreation	Any Zoning Conditions?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>			
Community Council Rec:	Varies								
Staff Recommendation:	Approval								
Planner:	Spencer G. Sanders								

1.0 BACKGROUND

1.1 Summary

Salt Lake County is requesting approval to amend two sections of Salt lake County Ordinances in Title 19 Zoning, Chapter 72 Foothills and Canyons Overlay Zone (FCOZ): Section 060 Administration and Enforcement and Section 070 Definitions. The proposed Amendments to 060 clarify slope waivers related to ski resort development; and the proposed amendments to 070 clarify allowed summer uses at ski resorts.

The intent of the proposed changes to FCOZ is to ensure the language aligns with how the ordinance has been applied in practice since its adoption in 1997. Recent applications have brought to light that the language of the ordinance with respect to the areas of proposed change is vague and poorly worded. Recently, two different Salt lake County citizen bodies (the County Planning Commission and the Board of Adjustment) when confronted with applying the language of the ordinance to the same application came to completely opposite interpretations. As a result the County Staff reviewed the language and has provided the proposed ordinance amendments in order to resolve the issues of confusion.

The review process for the proposed ordinance amendments to this point has been as follows:

August 2011 -The proposed ordinance is forwarded to all of the County Community Councils for recommendation.

September 2011 - Planning Commission Review begins with hearings held before County, Millcreek Township and Emigration Township Planning Commissions. All three Commissions continued the request to their October Meetings. Magna, Copperton and Kearns Township Planning Commissions did not hold meetings in September.

October 2011 - Magna and County PCs held public hearings regarding the proposal and each recommended its approval to the County Council. Millcreek and Emigration continued the hearings to their November meetings. Copperton and Kearns did not hold meetings in October regarding the proposal.

November 2011 -The proposed ordinance was scheduled for hearings with Millcreek, Emigration, Kearns and Copperton Township PCs, but was postponed by County staff when an issue was raised by Salt Lake City Public Utilities -Watershed Management, a potentially affected jurisdictional entity, in regard to receiving proper notice for the first public hearings. Staff rescheduled Hearings with all of the County Planning Commissions for December, including those who had already rendered decisions, County and Magna PCs.

For these December meetings, staff had originally planned to make some modifications to the proposed ordinance in order to address some of the concerns and issues raised in the hearings by the public and the Planning Commissions. However, in order to make sure that all the Commissions are able to review and make recommendations on the same document and since many of the comments received from the different groups are divergent, it was determined that the same draft language that was initially presented starting in August, will be presented here. Staff has made no changes to the document at this time.

The County Council has requested these proposed amendments be brought before them in January for their consideration. Therefore, it is staff's intention to obtain recommendations on the current draft from all the commissions and to provide those recommendations to the County Council for their consideration and decision. Logistically and practically, it is not feasible to complete a final draft for review by all the Commissions that will satisfy everyone's issues. Therefore, the review process for this ordinance will be similar to the review process with Community Councils: a draft is provided for review and recommendation; the recommendations are received and documented; then the recommendations are provided to the deciding body. Recommendations can take the form of approval, approval with recommended changes or denial and the reasons. Since County Council is the deciding body on ordinance amendments, the Commissions' recommendations will be collected and reported in their entirety to the Council. Modifications to the proposed ordinance will occur at the County Council level.

For the County and Magna Commissions that have already rendered a decision at a previous meeting, it will be necessary to hold a new public hearing and allow additional public comment if there are members of the public present that wish to provide comment. However, in these cases, the Commissions may choose to limit the public comment to new information only. Attached to this report for consideration by all the Commissions, is a letter from Salt Lake City Public Utilities indicating their comments and concerns with the proposed amendments. In addition, a new motion of recommendation by the Commissions will be necessary.

For the Emigration and Millcreek Commissions that have held hearings, but have not yet rendered a recommendation, due to the new information from Salt Lake City Public Utilities noted above and attached hereto, the Commissions should allow additional public comment. Again, this comment can be limited to new information only in order to prevent repetition of issues the Commissions have already heard.

For the Kearns and Copperton Commissions, the hearing and recommendation process is to proceed as normal since the December meetings will be the first time these Commissions have heard this proposal.

1.2 Community Council Response

The proposed ordinance amendment has been forwarded to all of the County's Community Councils and Planning Commissions. The Community Council responses will be forwarded to their applicable Planning Commission and all will be forwarded on to the County Council.

2.0 ANALYSIS

2.1 Existing Ordinance

The following is a brief description of the sections of ordinance proposed for change:

19.72.060.C.5 - This provision indicates that waivers and modifications to the FCOZ regulations may

only be approved upon evidence establishing the listed criteria are met. The proposed language indicates that waivers and modifications may be approved subject to any of the criteria deemed applicable to the situation by the decision body. Since the adoption of FCOZ it has become evident that the listed criteria do not always apply to every situation. The proposed language would give the Planning Commission the ability to determine which of the listed criteria are applicable in a given situation as part of their review of a waiver request.

19.72.060.C.7 - This provision currently indicates the limitations on the types of activities pertaining to ski resorts, for which a waiver can be requested. The language here again is unclear. The proposed ordinance amendment would replace the language of subsection 7 with a table that more clearly lists the activities for which a waiver may be considered on a given slope range. The proposed change makes it more clear what activities are eligible for waiver consideration at Ski Resorts, Mineral Extraction and Public Uses. It does not eliminate the requirement to apply to the Planning Commission for review and approval of these waivers, it only establishes what activities are eligible for consideration.

19.72.070 - This provision lists all the definitions that are unique to the Foothills and Canyons Overlay Zone (FCOZ) ordinances, including the definition of a Ski Resort. Currently the language in the definition is unclear regarding non-snow related activities allowed at ski resorts. The proposed changes would clarify that both winter related activities and non-winter related activities are acceptable within the resorts; as has been the practice since FCOZ was adopted.

2.2 Proposed Ordinance

Please see the attached proposed ordinance.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Ordinance Amendment.

3.2 Reasons for Recommendation

- 1) The proposed amendments clarify the FCOZ language related to Ski Resorts and are consistent with the intent and purpose of the FCOZ overlay zone and what has been the implementation practice since shortly after the ordinances adoption.

3.3 Other Recommendations

Since the Council had requested the proposed amendments be on their agenda for consideration in January, Staff is respectfully requesting all the Commissions provide their recommendations at their December meetings in order to guarantee that they can be provided to the Council for their consideration.

SALT LAKE COUNTY ORDINANCE

ORDINANCE NO. _____, **2011**

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 THE APPLICABILITY OF WAIVER CRITERIA, PERMISSIBLE SLOPE WAIVER RANGES, AND, THE DEFINITION OF "SKI 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 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 subject to any of ~~[upon evidence establishing]~~ the following criteria~~[s, as]~~ 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 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 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 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 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 ski resort, public use and 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>Year-round or non-snow related activities; and</u> • <u>Motorized vehicle roads and trails.</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>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:

"Ski resort" means any public or private developed recreational use~~[, 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. These uses are 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 recreation 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.]~~

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 _____ day of _____, 2011.

SALT LAKE COUNTY COUNCIL

Max Burdick, Chair

ATTEST:

Salt Lake County Clerk

APPROVED AS TO FORM:

Deputy District Attorney
Date_____

ORDINANCE HISTORY

Council Member Bradley voting _____
Council Member Bradshaw voting _____
Council Member Burdick voting _____
Council Member DeBry voting _____
Council Member Horiuchi voting _____
Council Member Iwamoto voting _____
Council Member Jensen voting _____
Council Member Snelgrove voting _____
Council Member Wilde voting _____

Vetoed and dated this _____ day of _____, 2011.

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 _____, 2011, the County Council of Salt Lake County adopted Ordinance No. _____, 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 the applicability of waiver criteria, permissible slope waiver ranges, and, the definition of "ski resort" to include year round resort activities; and making other related changes.

SALT LAKE COUNTY COUNCIL

By: _____
MAX BURDICK, Chairman

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Deputy District Attorney
Date _____

ORDINANCE HISTORY

Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member Burdick voting	_____
Council Member DeBry voting	_____
Council Member Horiuchi voting	_____
Council Member Iwamoto voting	_____
Council Member Jensen voting	_____
Council Member Snelgrove voting	_____
Council Member 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.

JEFFRY T. NIERMEYER
DIRECTOR

SALT LAKE CITY CORPORATION

DEPARTMENT OF PUBLIC UTILITIES
WATER SUPPLY AND WATERWORKS
WATER RECLAMATION AND STORMWATER

RALPH BECKER
MAYOR

September 27, 2011

Mr. Rolen Yoshinaga
Salt Lake County Planning and Development Director
Salt Lake County Government Center
2001 South State Street, Suite N3600
Salt Lake City, UT 84190

Dear Rolen:

Thank you for meeting on September 14th to discuss the Foothills and Canyons Overlay Zone (FCOZ). I appreciate your thoughtfulness with respect to planning for the future of the Wasatch canyons, including areas that comprise critical watershed and natural resources. As you know, Salt Lake City has extraterritorial jurisdiction for watershed protection within areas of the Wasatch Canyons that are subject to FCOZ, and has significant interests in regard to short and long term protection of these watersheds to ensure a clean, reliable water supply for residents of the Salt Lake Valley. We appreciate the decades-long partnership we have had with Salt Lake County in land use and watershed planning, policies, and implementation. This letter is intended to be in the spirit of this cooperative relationship.

Salt Lake City understands that Salt Lake County is proposing to amend FCOZ Section 19.72.060 ("Waivers and Modifications for Ski Resorts, Public Uses, and Mineral Extraction and Processing Uses") and FCOZ Section 19.72.070 ("Definitions"). We further understand that the intention of Salt Lake County's proposed amendments is to address ambiguities as they relate to ski resort uses and permissible slope ranges for eligible development activities, as well as adding the concept of year-round, multi-season uses to the definition of "Ski Resort", which carries through FCOZ and the underlying zone definitions.

In continuance of our dialogue regarding land use in the Wasatch Canyons, Salt Lake City is providing the following comments specific to proposed revisions of these two FCOZ Sections:

- 1) As proposed, we believe the language describing eligible development activities associated with permissible slope waivers is overly broad. Salt Lake City is very concerned that this broad language will lead to development that will degrade the

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WWW.SLCGOV.COM



watersheds, natural resources, and other public values. In addition, this broad language may lead to additional agency and public confusion during future land use decision processes.

- 2) As proposed, we believe the amendment to the definition of “Ski Resort” is also very broad, and, in our opinion, constitutes a substantive change that should be evaluated in a broader land use context, such as a master planning process. Salt Lake City has significant watershed concerns with respect to likely unintended consequences regarding land use and development with the proposed ski resort definition, especially in combination with the waiver provisions.
- 3) Salt Lake City feels that the root of the challenges facing land use decisions is not necessarily language in the FCOZ ordinance, but the need to update the Canyons Master Plan to holistically reflect the next generation of land use policies for these critical areas. The proposed ordinance changes represent a shift in land use policy that hasn’t been vetted or evaluated.
- 4) While Salt Lake City understands, and agrees with, Salt Lake County’s intention to clarify specific sections of FCOZ to better refine its land use decision making and permitting process, we feel strongly that this effort requires a more extensive public process. This would allow an evaluation of the consequences and contexts of changes of land use in the Wasatch Canyons, which may not be considered in the revision of the definitions and waivers. A broader public process would also give Salt Lake County and other agencies a basis for more refined definitions and approaches to development considerations, and a greater ability to more holistically consider the implications in other related contexts, such as mountain transportation, Forest Service planning, and watershed planning.
- 5) Salt Lake City is aware that Salt Lake County is beginning its land use master plan revision process for the Canyons to revise its 1989 Canyons Master Plan. This Master Plan revision process is an opportunity for thoughtful community input and consideration that would in turn inform any future changes to FCOZ. Our preference would be to address the Master Plan revision prior to revising FCOZ.
- 6) Salt Lake City would prefer that the County place a moratorium on issuing waivers under FCOZ, rather than making changes that could have unintended and far reaching consequences, pending a broader public process that allows more consideration and public dialogue to carry through to both the underlying zoning and the overlay zoning. It seems appropriate to address this consideration in the current master plan revision process. This may also be an opportunity to remove the controversial waiver provision from FCOZ and evaluate the underlying zoning to provide more clear land use decision processes.
- 7) Salt Lake City is aware that Congress is considering legislation amending the National Forest Ski Area Permit Act of 1986 (attached). The amendment clarifies the authority of the US Forest Service regarding additional recreation uses of National

Forest System land that is subject to ski area permits. In particular, the amendment seeks to clarify additional seasonal or year-round recreational activities and facilities on ski areas that are permitted on National Forest System land. The current legislation being considered by Congress specifies certain activities and facilities that are allowed, and certain that are prohibited. Because the only ski resorts within Salt Lake County's land use jurisdiction operate under a US Forest Service ski area permit, there is a potential that with the changes to the definitions and waivers section of FCOZ, conflicts will arise between Salt Lake County land use ordinances and the Forest Service permitting requirements.

During our meeting, you expressed the County's purpose and intentions in proposing revisions to the FCOZ Waiver and Definitions sections. I appreciate your openness and willingness to share your goals with respect to this process. I hope we can continue discussing this issue in a constructive way, and I am committed to working collaboratively with you to help achieve a good outcome that meets your needs while continuing to underscore the County's commitment to protecting the watershed areas and natural resources of the Canyons. I look forward to working with you on this. Please do not hesitate to contact me.

Sincerely,



Jeffrey Niermeyer, PE
Director

cc: Mayor Ralph Becker
Mayor Peter Corroon

Attachments: Bill Text HR 765 as of September 23, 2011
Bill Text S. 382 as of September 23, 2011

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Bill Text
112th Congress (2011-2012)
H.R.765.IH

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**H.R.765 -- Ski Area Recreational Opportunity Enhancement Act of 2011
(Introduced in House - IH)**

HR 765 IH

112th CONGRESS

1st Session

H. R. 765

To amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

February 17, 2011

Mr. BISHOP of Utah (for himself and Ms. DEGETTE) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `Ski Area Recreational Opportunity Enhancement Act of 2011'.

SEC. 2. PURPOSE.

The purpose of this Act is to amend the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b)--

(1) to enable snow-sports (other than nordic and alpine skiing) to be permitted on National Forest System land subject to ski area permits issued by the Secretary of Agriculture under section 3 of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b); and

(2) to clarify the authority of the Secretary of Agriculture to permit appropriate additional seasonal or year-round recreational activities and facilities on National Forest System land subject to ski area permits issued by the Secretary of Agriculture under section 3 of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b).

SEC. 3. SKI AREA PERMITS.

Section 3 of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b) is amended--

(1) in subsection (a), by striking `nordic and alpine ski areas and facilities' and inserting `ski areas and associated facilities';

(2) in subsection (b), in the matter preceding paragraph (1), by striking `nordic and alpine skiing operations and purposes' and inserting `skiing and other snow sports and recreational uses authorized by this Act';

(3) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(4) by inserting after subsection (b) the following:

`(c) Other Recreational Uses-

`(1) **AUTHORITY OF SECRETARY-** Subject to the terms of a ski area permit issued pursuant to subsection (b), the Secretary may authorize a ski area permittee to provide such other seasonal or year-round natural resource-based recreational activities and associated facilities (in addition to skiing and other snow-sports) on National Forest System land subject to a ski area permit as the Secretary determines to be appropriate.

`(2) **REQUIREMENTS-** Each activity and facility authorized by the Secretary under paragraph (1) shall--

- ` (A) encourage outdoor recreation and enjoyment of nature;
 - ` (B) to the extent practicable--
 - ` (i) harmonize with the natural environment of the National Forest System land on which the activity or facility is located; and
 - ` (ii) be located within the developed portions of the ski area;
 - ` (C) be subject to such terms and conditions as the Secretary determines to be appropriate; and
 - ` (D) be authorized in accordance with--
 - ` (i) the applicable land and resource management plan; and
 - ` (ii) applicable laws (including regulations).
- ` (3) INCLUSIONS- Activities and facilities that may, in appropriate circumstances, be authorized under paragraph (1) include--
- ` (A) zip lines;
 - ` (B) mountain bike terrain parks and trails;
 - ` (C) frisbee golf courses; and
 - ` (D) ropes courses.
- ` (4) EXCLUSIONS- Activities and facilities that are prohibited under paragraph (1) include--
- ` (A) tennis courts;
 - ` (B) water slides and water parks;
 - ` (C) swimming pools;
 - ` (D) golf courses; and
 - ` (E) amusement parks.
- ` (5) LIMITATION- The Secretary may not authorize any activity or facility under paragraph (1) if the Secretary determines that the authorization of the activity or facility would result in the primary recreational purpose of the ski area permit to be a purpose other than skiing and other snow-sports.
- ` (6) BOUNDARY DETERMINATION- In determining the acreage encompassed by a ski area permit under subsection (b)(3), the Secretary shall not consider the acreage necessary for activities and facilities authorized under paragraph (1).
- ` (7) EFFECT ON EXISTING AUTHORIZED ACTIVITIES AND FACILITIES- Nothing in this subsection affects any activity or facility authorized by a ski

area permit in effect on the date of enactment of this subsection during the term of the permit.';

(5) by striking subsection (d) (as redesignated by paragraph (3)), and inserting the following:

(d) Regulations- Not later than 2 years after the date of enactment of this subsection, the Secretary shall promulgate regulations to implement this section.'; and

(6) in subsection (e) (as redesignated by paragraph (3)), by striking 'the National Environmental Policy Act, or the Forest and Rangelands Renewable Resources Planning Act as amended by the National Forest Management Act' and inserting 'the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.)'.

SEC. 4. EFFECT.

Nothing in the amendments made by this Act establishes a legal preference for the holder of a ski area permit to provide activities and associated facilities authorized by section 3(c) of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b (c)) (as amended by section 3).

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Bill Text
112th Congress (2011-2012)
S.382.RS

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S.382 -- Ski Area Recreational Opportunity Enhancement Act of 2011 (Reported in Senate - RS)

S 382 RS

Calendar No. 135

112th CONGRESS

1st Session

S. 382

[Report No. 112-55]

To amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other purposes.

IN THE SENATE OF THE UNITED STATES

February 17, 2011

Mr. UDALL of Colorado (for himself, Mr. BARRASSO, Mr. ENSIGN, Mrs. MURRAY, Mr. BINGAMAN, Mr. BENNET, Mr. RISCH, Mrs. SHAHEEN, Mr. ENZI, Mr. HELLER, Mrs. FEINSTEIN, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

August 30 (legislative day, August 2), 2011

Reported under authority of the order of the Senate of August 2, 2011, by Mr. BINGAMAN, without amendment

A BILL

To amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Ski Area Recreational Opportunity Enhancement Act of 2011'.

SEC. 2. PURPOSE.

The purpose of this Act is to amend the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b)--

(1) to enable snow-sports (other than nordic and alpine skiing) to be permitted on National Forest System land subject to ski area permits issued by the Secretary of Agriculture under section 3 of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b); and

(2) to clarify the authority of the Secretary of Agriculture to permit appropriate additional seasonal or year-round recreational activities and facilities on National Forest System land subject to ski area permits issued by the Secretary of Agriculture under section 3 of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b).

SEC. 3. SKI AREA PERMITS.

Section 3 of the National Forest Ski Area Permit Act of 1986 (16 U.S.C. 497b) is amended--

(1) in subsection (a), by striking 'nordic and alpine ski areas and facilities' and inserting 'ski areas and associated facilities';

(2) in subsection (b), in the matter preceding paragraph (1), by striking 'nordic and alpine skiing operations and purposes' and inserting 'skiing and other snow sports and recreational uses authorized by this Act';

(3) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(4) by inserting after subsection (b) the following:

` (c) Other Recreational Uses-

` (1) AUTHORITY OF SECRETARY- Subject to the terms of a ski area permit issued pursuant to subsection (b), the Secretary may authorize a ski area permittee to provide such other seasonal or year-round natural resource-based recreational activities and associated facilities (in addition to skiing and other snow-sports) on National Forest System land subject to a ski area permit as the Secretary determines to be appropriate.

` (2) REQUIREMENTS- Each activity and facility authorized by the Secretary under paragraph (1) shall--

` (A) encourage outdoor recreation and enjoyment of nature;

` (B) to the extent practicable--

` (i) harmonize with the natural environment of the National Forest System land on which the activity or facility is located; and

` (ii) be located within the developed portions of the ski area;

` (C) be subject to such terms and conditions as the Secretary determines to be appropriate; and

` (D) be authorized in accordance with--

` (i) the applicable land and resource management plan; and

` (ii) applicable laws (including regulations).

` (3) INCLUSIONS- Activities and facilities that may, in appropriate circumstances, be authorized under paragraph (1) include--

` (A) zip lines;

` (B) mountain bike terrain parks and trails;

` (C) frisbee golf courses; and

` (D) ropes courses.

` (4) EXCLUSIONS- Activities and facilities that are prohibited under paragraph (1) include--

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` (C) swimming pools;

` (D) golf courses; and

` (E) amusement parks.

` (5) LIMITATION- The Secretary may not authorize any activity or facility under paragraph (1) if the Secretary determines that the authorization of the

activity or facility would result in the primary recreational purpose of the ski area permit to be a purpose other than skiing and other snow-sports.

` (6) BOUNDARY DETERMINATION- In determining the acreage encompassed by a ski area permit under subsection (b)(3), the Secretary shall not consider the acreage necessary for activities and facilities authorized under paragraph (1).

` (7) EFFECT ON EXISTING AUTHORIZED ACTIVITIES AND FACILITIES- Nothing in this subsection affects any activity or facility authorized by a ski area permit in effect on the date of enactment of this subsection during the term of the permit.';

(5) by striking subsection (d) (as redesignated by paragraph (3)), and inserting the following:

` (d) Regulations- Not later than 2 years after the date of enactment of this subsection, the Secretary shall promulgate regulations to implement this section.'; and

(6) in subsection (e) (as redesignated by paragraph (3)), by striking `the National Environmental Policy Act, or the Forest and Rangelands Renewable Resources Planning Act as amended by the National Forest Management Act' and inserting `the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.)'.

SEC. 4. EFFECT.

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Calendar No. 135

112th CONGRESS

1st Session

S. 382

[Report No. 112-55]

A BILL

To amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other purposes.

August 30 (legislative day, August 2), 2011

Reported without amendment

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STAFF REPORT

Executive Summary					
Hearing Body:	Copperton Planning Commission				
Meeting Date and Time:	Monday, December 12, 2011	12:30 PM	File No:	2	6 6 1 0
Applicant Name:	Salt Lake County Planning	Request:			
Description:	Electrical Plan Best Practice				
Location:	County Wide				
Zone:		Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Community Council Rec:	Not yet received				
Staff Recommendation:	Approval				
Planner:	Todd A. Draper and Spencer G. Sanders				

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed

3.2 Reasons for Recommendation

- 1) Adoption of the Plan and Best Practice is in the best interests of collaborative and cooperative planning across multiple jurisdictional boundaries.
- 2) Adoption of the Plan as a Best Practice will help insure that individual community interests are protected when siting of new electrical facilities takes place.
- 3) The Best Practice helps insure that the needs of today are met without compromising the needs of future generations (it is sustainable).

**Powering Our Future – Salt Lake County Electrical Plan –
Local Planning Handbook
PDS File # 26610 – Electrical Facilities Best Practice**

General Description

Rocky Mountain Power (PacifiCorp) and Idaho Power have partnered with local governments in Salt Lake County to jointly plan for electrical infrastructure expansion. They have produced a publication called “Powering Our Future – Salt Lake County Electrical Plan – Local Planning Handbook”. This solution is a response to the challenge of electrical power expansion, planning and public controversy. The story and methods they have to tell are relevant for any local government that wants to integrate community considerations into regional infrastructure planning. It is also relevant for any regional infrastructure agency that has been frustrated by excessive delays and controversy with projects.

Purpose and Background

Electrical power is of paramount importance to the functioning of our everyday life and economy. Just ask anyone who has been through a natural disaster or extended period of time when the “juice” was off about the wide-spread impacts of such an event. Even while conservation efforts broaden, national energy use has continued to grow as more people own and run more electrical gadgets. With our auto fleet beginning to shift to electrical sources, demand could skyrocket in the coming years. Driven by this growth, most major utilities are embarking on unprecedented expansion programs – the largest since the 1970’s – in order to be ready to meet future demands. Despite all of this, proposals for new or upgraded transmission lines often come as a “surprise” to residents and often become controversial.

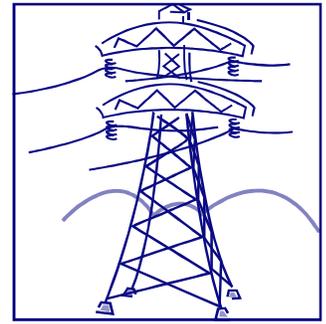
The purpose of the Local Planning Handbook is to better integrate land use planning and infrastructure planning, two activities that have remained largely separate. During the planning process, utilities often don’t know what will eventually be built near future power lines. Meanwhile, cities often don’t account for power line locations as land use plans are formulated. The end results have often been incompatibility between land uses and upset residents which often has translated into further problems and delays.

Significance and Benefits

As cities within regions become more increasingly dependent upon each other, many issues are regional and cross jurisdictional boundaries and do not fall solely within the purview of one agency. Large road projects, transit lines and infrastructure projects such as pipelines and utility lines all fall within the category of regional projects. This planning approach allows “one hand to see what another is doing” and this process will ultimately benefit the public and our organizations by the conversations it stimulates and long-term outlook it implements.

Best Practice Adoption Process

Planning and Development Services is pursuing the adoption of a Best Practice Section based on this document for inclusion into all Salt Lake County General Plans. The Best Practice Section will be presented to all Community Councils for their recommendations, and these recommendations will be passed along to the applicable Planning Commission. Subsequently, each Planning Commission will make recommendations on the Best Practice Section that will be forwarded to the County Council for consideration as part of the adoption process.

DRAFT

Electrical Facilities

Purpose Statement

Planning, financing and building infrastructure to meet future growth in Salt Lake County poses major challenges. Capital facilities like water, sewer, roads and highways, public transportation, and schools are routinely considered by government and community leaders in planning for the future. Often left out, but equally critical is the planning and siting of electrical infrastructure. Identifying where electrical facilities are needed to support future growth will benefit local governments, transportation planners, developers, residents, businesses and the power provider. This type of clarity and predictability will not only help assure electrical capacity is available to meet communities' development needs, but also make more efficient use of limited financial resources and minimize potential conflict in the future.

Contents:

Core Concepts	1
Key Questions	2
Discussion	2
Resources	2

Best Practices

Core Concepts

1. **Electrical infrastructure systems must be designed to meet customers' needs when usage is at the highest point during the year, known as "peak demand."**
2. **Infrastructure systems must be able to expand relative to population growth.**
3. **As Customer Demand Projections take into account current economic factors they are subject to fluctuation as a result.**
4. **Infrastructure plans must also account for changes in Technology, both in the production of electrical power and the usage of electrical power.**
5. **A set of uniform siting criteria should be developed by the community for evaluating potential electrical utility sites.**
6. **Establish a logical relationship between electrical infrastructure and land use, both existing and future. Integrate planning efforts for electrical infrastructure, transportation, and local and regional land use. In short, engage in cooperative planning.**
7. **As a regulated utility, the power company is unable to build new infrastructure until it is needed. Knowing where these facilities will go in advance will improve predictability of electrical infrastructure improvements for communities, residents, property owners and power provider**
8. **Integrate community considerations into electrical infrastructure planning.**
9. **Foster communication and broader understanding of all stakeholders' needs and concerns. Maintain communication among stakeholders and update the plan's elements over time.**

Related Best Practices:



[Index](#)[Context](#)[Best Practices](#)[Projects](#)[Official Map](#)[Appendix](#)

Key Questions

How will projected population growth in Salt Lake County be accommodated?

As new development occurs where will electrical facilities and utilities be located in relation to that development?

Are there land use policies or practices that can be implemented to conserve or reduce the demand for electrical power?

What siting criteria will be used for evaluating alternative sites?

Discussion

The Salt Lake County Electrical Plan Task Force in conjunction with Rocky Mountain Power has created a series of documents known collectively as the Salt Lake County Electrical Plan. These documents include a series of maps that depict and inform a forecast of electrical infrastructure needs within Salt Lake County. Also part of the Electrical Plan is a Local Planning Handbook to use in developing local siting criteria for evaluating potential sites for locating the new infrastructure identified as part of the plan in support of existing land use plans. The third element of the Electrical Plan is collaboration and cooperation between the multiple jurisdictional entities to insure that cross jurisdictional impacts are mitigated and to increase efficiency in the provision of electrical service to all constituents.

The Three main Goals of the Electrical plan are:

1. Ensure adequate electrical capacity to supply communities' future growth.
2. Define appropriate land uses and design characteristics for future electrical facilities.
3. Let residents and property owners know what to expect as the community changes over time.

The goal of this Electrical Facilities Best Practice is to adopt the Salt Lake County Electrical Plan (as updated and amended) as a best practice of the Salt Lake County General Plans.

Resources

1. *Powering our Future: Salt Lake County Electrical Plan Local Planning Handbook.* Rocky Mountain Power, September 2010. http://cooperativeplan.slco.org/pdf/Projects/ElectricalPlan/SLCEP_Final_compress.pdf
2. *The Case for New Electricity Transmission and Siting New Electricity Transmission Lines,* Roger W. Gale, Mary O'Driscoll, GR Energy LLC, September, 2001, http://oharas.com/ET/Transmission_Case.pdf
3. *The Neighborly Substation- Electricity, Zoning and Urban Design,* Hope Cohen, Deputy Director, Center for Rethinking Development, December, 2008. http://www.manhattan-institute.org/html/crd_neighborly_substation.Htm
4. *Visual Impact Analysis Methodology for Transmission Line Planning Corridors,* EDAW, February 1977.