



## Salt Lake County Planning Commission

### Public Meeting Agenda

**Wednesday, October 16, 2013 8:30 A.M.**

**THE MEETING WILL BE HELD AT SALT LAKE COUNTY GOVERNMENT CENTER  
2001 SOUTH STATE STREET, NORTH BUILDING, MAIN FLOOR, COUNCIL CHAMBERS,  
ROOM N1100**

**ANY QUESTIONS, CALL (385) 468-6700**

*REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED UPON RECEIPT OF A REQUEST WITH 5 WORKING DAYS NOTICE. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.*

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 MEETING**

#### **Previous Meeting Minutes Review and Approval**

- 1) Adoption of minutes from the September 11, 2013 meeting.
- 2) Other Business items (as needed)

*The Public Hearings will begin immediately following the Business Meeting.*

### **PUBLIC HEARINGS**

**28643** – Darlene Batatian is requesting to amend the conditions of approval to add an additional floor and extra units to a previously approved condo project at Snowbird Ski Resort known as Alpen Vista. **Zone:** FR-20 **Planner:** Lyle Gibson

#### **Ordinance Amendment**

**28640** – Salt Lake County is considering amendments to Salt Lake County Ordinances 19.04.235, 19.14.020, and 19.14.030 to limit the scope of “animals and fowl for family food production” and to make that land use a conditional use rather than a permitted use in the R-1-21 and R-1-43 zones in order to allow planning commission review and approval with the imposition of conditions of approval as necessary to mitigate the impacts of the introduction of farm animals into residential areas. **Community Council:** All. **Planner:** Curtis Woodward

### **ADJOURN**





## MEETING MINUTE SUMMARY

### Salt Lake County Planning Commission Meeting

Wednesday, September 11, 2013 8:30 a.m.

**Approximate meeting length:** 42 minutes  
**Number of public in attendance:** 3  
**Summary Prepared by:** Wendy Gurr  
**Meeting Conducted by:** Commissioner Young (Vice Chair)

**\*NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

### ATTENDANCE

**Commissioners and Staff:**

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
Tod Young – Vice Chair	x	x		Todd Draper	x	x
Neil A. Cohen	x	x		Wendy Gurr	x	x
Jeff Creveling	x	x		Max Johnson	portion	x
Richard Matheson - Chair	Absent	teleconference		Zach Shaw (DA)	x	x
Ronald Vance	x	x		Will Becker	x	x
Clare Collard	x	x				
Todd Sutton	x	x				
Bryan O’Meara (Alternate)	x	x				

### BUSINESS MEETING

**Meeting began at – 8:35 a.m.**

- 1) Other Business Items (as needed) –
  - i. Election of Chair and Vice Chair
 

*Appointment of Chair:*

    - Nomination **for:** Tod Young
    - Motion by:** Ronald Vance
    - 2<sup>nd</sup> by:** Todd Sutton
    - Vote:** Unanimous in favor. Commissioner Young accepted the position of Chair with acclamation.

*Appointment of Vice-Chair:*

    - Nomination **for:** Ronald Vance
    - Motion by:** Tod Young
    - 2<sup>nd</sup> by:** Todd Sutton
    - Vote:** Unanimous in favor. Commissioner Vance accepted the position of Vice-Chair.
  - ii. Introductions of new commissioners Clare Collard and Bryan O’Meara (Alternate).
  - iii. Todd Draper introduced himself and Wendy Gurr to the new Planning Commission members.

Max Johnson arrived at 8:40 a.m.

Commissioner Creveling arrived at 8:41 a.m.

Commissioner Matheson teleconferenced at 8:43 a.m.

- 2) Approval of Minutes from the June 12, 2013 meeting.

**Motion:** to approve Minutes from the June 12, 2013 meeting with the correction to the words “per say” to “per se”, third page, middle.

**Motion by:** Commissioner Matheson

**2<sup>nd</sup> by:** Commissioner Vance

**Vote:** Unanimous in favor

- 3) Approval of Minutes from the July 10, 2013 meeting.

**Motion:** to approve Minutes from the July 10, 2013 meeting as presented.

**Motion by:** Commissioner Vance

**2<sup>nd</sup> by:** Commissioner Matheson and Commissioner Cohen

**Vote:** Unanimous in favor

- 4) Wasatch Canyon General Plans update – Todd Draper

Todd reported there is not a plan update at this time, hopefully by the end of October.

Commissioner Matheson dismissed himself at 8:46 a.m.

## **PUBLIC HEARINGS**

**Hearings began at – 8:47 a.m.**

**25638** - Planning and Development Services is seeking a recommendation for approval for the adoption of the Bicycle Best Practices into Salt Lake County General Plans. The Bicycle Best Practices would be applicable to all unincorporated areas of Salt Lake County. The purpose of the Bicycle Best Practices is to provide Salt Lake County with a county-wide bicycle planning framework and design resource. **Planner:** Will Becker

Commissioner Young questioned who the Best Practice is going out to and if this will become part of the General Plan and if the CCP will be applied. Will confirmed the document had gone out to the Community Councils asking for a recommendation and received very positive feedback. Todd advised this is part of CCP, they started it and explained how the best practices grew out of that.

Max Johnson dismissed himself at 9:00 a.m.

Commissioner Cohen asked about the Salt Lake County advisory committee and if there is a Bicycle department. Determined this is like a manual, asked if they have to follow traffic rules and if they don't follow do the same rules apply and could they be ticketed. Will advised it has existed more than 10+ years and is being reformed and engineering already hired a bicycle coordinator, George Deneris. Questioned how do we improve cycling throughout the county?

Commissioner Young believes everyone has comments and would want to wait.

## **PUBLIC PORTION OF MEETING OPENED**

**Speaker # 1:** Big Cottonwood Community Council

**Name:** Barbara Cameron

**Address:** 11185 Mountain Sun Lane, Brighton, 84121

**Comments:** They feel this is practice is a gem and want to see a State ordinance for single file in the canyon. They urge the support to the Canyon General plans and healthy active lifestyles. This will help in the canyon with the runners and feels the County can help convince UDot.

*Commissioner Creveling curious if there was discussion of a second bicycle path in the Canyon. Barbara said University of Utah graduate students had been working on that, but couldn't bypass all of the locations. It was a wonderful plan, but too expensive.*

*Will Becker would like to see area specific proposals, but doesn't know how well it could be incorporated. Curious if items could be added.*

*Todd Draper suggests incorporating the plan into the project list for Canyon General Plans specific to that Canyon.*

**Speaker # 2:** Granite Community Council

**Name:** Mary Young

**Address:** 3260 East Wasatch Pine Lane

**Comments:** For two years they have submitted priorities to the County to establish bike lanes. Traveling has been very dangerous and increasingly used. They feel this is an excellent document. Could improve readability. Would like to address maintenance of bike lanes and already using the bicycle plan. They have established a bike group and passed along the document. Most of the racers complained of the lack of maintenance to the roads and would like to see that addressed and who to call for problems. Strongly recommend adopting.

#### **PUBLIC PORTION OF MEETING CLOSED**

*Commissioner Creveling had issues with formatting and understands it is a draft. Todd Draper recommended submitting changes and suggestions to Will Becker. Commissioner Creveling had congratulations to the people behind the best practice with the education and awareness regarding bicyclist rights.*

**Motion:** to recommend approval of application #25638 as presented.

**Motion by:** Commissioner Cohen

**2<sup>nd</sup> by:** Commissioner Sutton

**Vote:** Unanimous in favor

#### **MEETING ADJOURNED**

**Time Adjourned – 9:17 a.m.**





**STAFF REPORT**

Executive Summary									
<b>Hearing Body:</b>	Salt Lake County Planning Commission								
<b>Meeting Date and Time:</b>	Wednesday, October 16, 2013	08:30 AM	<b>File No:</b>	2	8	6	4	3	
<b>Applicant Name:</b>	Darlene Batatian	<b>Request:</b>	Conditional Use						
<b>Description:</b>	Amend Conditions of Approval - Add a 3rd level to existing approved use								
<b>Location:</b>	9525 E. Little Cottonwood Canyon - Snowbird Ski Resort								
<b>Zone:</b>	FR-20 Forestry & Recreation	<b>Any Zoning Conditions?</b>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
<b>Planning Commission Rec:</b>	Not Yet Received								
<b>Community Council Rec:</b>	Not Applicable								
<b>Staff Recommendation:</b>	Approval with Conditions								
<b>Planner:</b>	Lyle Gibson								

**1.0 BACKGROUND**

**1.1 Summary**

**28643** - Darlene Batatian is requesting to amend the conditions of approval to add an additional floor and extra units to a previously approved condo project at Snowbird Ski Resort known as Alpen Vista. **Zone:** FR-20 **Planner:** Lyle Gibson

The project as proposed is on a site that has been previously approved for a condominium project that has started construction but was only built as far as footings and foundation. Due to conditions of the real estate market this project was halted early on in its construction phase. A new applicant has come forward with a proposal to bring the project back online and add a 3rd floor and 8 extra units to the most recent approval.

Original Approval 25319:

- 1) The unit configuration within the previously approved building footprint (except as modified by this approval to accommodate a second floor access hallway and outdoor spa) is flexible. The previous approved 6 townhome units may be broken up or combined in any manor deemed necessary by the applicant as long as there are no more than 20 total units within the building. This may include the separation of the townhome units into two units; for example, one unit up and one unit down. This may also include the combining of the separate structural cells (a 21-foot wide section of each floor) vertically, horizontally, or both, into a larger single unit.
- 2) In order to accommodate required access to potential second floor units, the foot print of the building shall be modified to add a hallway on the second floor of the east side of the building.
- 3) An outdoor spa area is approved to be added to the south side of the building in accordance with all requirements of Salt Lake City Public Utilities watershed management. See letter dated May 21, 2010.

As a result of the hallway and spa additions, the Limits of Disturbance (LOD) will be modified as shown on the attached plans to accommodate the additions and associated grading. All previously approved Waivers and Modifications granted to this project shall apply.

Proposed Amendments:

- 1) The total number of units in any configuration within the proposed building be limited to 28 units.
- 2) In order to accommodate the proposed additional units and points of access the building shall be modified to allow for an additional floor (creating 3 total) and the foot print shall be allowed to be expanded as proposed towards the existing parking garage and to the east of the building to create new covered stair access.

**1.2 Hearing Body Action**

19.05.040 Powers and duties.

E. Approve or deny conditional use permits

This application is on the Salt Lake County Planning Commission agenda for a decision to approve or deny the proposed conditional use amendment.

19.10.030 Conditional uses.

Ski resort facilities and improvements which do not satisfy the criteria of Section 19.10.020, subparts (E)(1) through (E)(4) of this chapter, as well as those which are referred to the planning commission by the development services director in accordance with Section 19.84.080 provisions of this title, shall be subject to review and approval by the planning commission. In its consideration of ski resort and public use development proposals in areas situated within the foothills and canyons overlay zone, the planning commission may waive and/or modify the regulations of Chapters 19.72 and 19.73 of this title in accordance with the procedures and criteria set forth in Section 19.72.060, "Administration and enforcement."

**1.3 Neighborhood Response**

As of the date of this report, 10/9/2013, the only inquiry about the project was from Save Our Canyons. The concern expressed was prior to seeing the plans for the project, but they did mention they may have concerns regarding additional height.

**2.0 ANALYSIS**

**2.1 Applicable Ordinances**

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<i>Standard `A': The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		The use as proposed complies with the provisions of the zoning ordinance and the approved Snowbird Ski and Summer Resort Master Plan such as parking, limits of disturbance, building height.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B`:</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		Prior to final approval, the project will be required to comply with all applicable laws and ordinances as verified through the technical review process.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C`:</u> <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		To date, a review by the traffic engineer has not been completed. While a final approval and verification of compliance will be required through the technical review process, it is the opinion of the planning staff that the proposed number of additional units is a very small percentage increase to the amount of traffic already at the resort and will not have a notable effect on traffic beyond the already approved use.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `D`:</u> <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		According to the county geologist, the building is located in an avalanche slide path and adjacent to another. The avalanche study provided by the applicant indicates, for the modeled slide, the building will not be inundated and gives specific pressures for all walls and the roof to be able to withstand the results of an avalanche. Plans stamped by a structural engineer will be required prior to final approval.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E`:</u> <i>The proposed use and site development plan shall not significantly impact the quality of life of residents in the vicinity.</i>
		Discussion:  Summary:

## 2.2 Zoning Requirements

### Allowed Uses:

Snowbird Ski and Summer Resort - Master Plan Update - Approved 10/27/2008

Page 2 of 2: Allowed Uses in the Base Area

The FCOZ regulations encourage clustering of development onto properties more appropriate for development based on slope, vegetation, stream and wetland protections, as well as safety and aesthetic considerations. This plan, as stated in the original approval letter, approves the clustering of the approved units/rooms within the approved base area of the resort as encouraged by FCOZ regulations. Therefore, the rooms are allowed to be built anywhere within the approved base area, subject to all applicable FCOZ and other County Ordinances and regulations, regardless of the actual underlying base zone designation. This is also the case for resort related commercial uses listed in the FM-20 zone. This means that multi-family rooms or resort related commercial as indicated in the FM-20 zone could be built in the FR-20 zone as long as they are clustered within the approved base area and comply with all other applicable requirements, including but not limited to FCOZ regulations.

### 19.10.030 Conditional uses.

The following conditional uses are subject to the requirements of this chapter, all general and specific conditions, criteria, and approval procedures set forth in [Chapter 19.84](#), "Conditional Uses," and, for properties situated within the foothills and canyons overlay zone, the procedures and provisions of [Chapter 19.72](#), "Foothills and Canyons Overlay Zone" and [Chapter 19.73](#), "Foothills and Canyons Site Development and Design Standards."

Ski resort facilities and improvements which do not satisfy the criteria of [Section 19.10.020](#), subparts (E)(1) through (E)(4) of this chapter, as well as those which are referred to the planning commission by the development services director in accordance with [Section 19.84.080](#) provisions of this title, shall be subject to review and approval by the planning commission. In its consideration of ski resort and public use development proposals in areas situated within the foothills and canyons overlay zone, the planning commission may waive and/or modify the regulations of Chapters [19.72](#) and [19.73](#) of this title in accordance with the procedures and criteria set forth in [Section 19.72.060](#), "Administration and enforcement."

M.

Planned unit development subject to the conditions and requirements set forth in [Chapter 19.78](#), "Planned unit development";

#### **Building Height:**

According to the approved Snowbird Ski and Summer Resort Master Plan Update, page 2 of 2. Building Heights in the Base Area. In order to accommodate the total number of units allowed in the resort to be clustered in the base area, building heights in the approved base area will be governed as specified in the FM-20 zone, regardless of the underlying base zone. This shall include but is not limited to, the potential to allow building heights for commercial and multifamily developments to exceed the building heights allowed in the FR-20 zone, as long as the subject development is located within the approved base area and meets the criteria established in the FM-20 zone for determining building height on a case by case basis for these types of uses.

### 19.10.060 Building height.

A. Conditional Uses—Case-by-Case Determination. Because of the unique nature of the topography, vegetation, soils, climatic and aesthetic characteristics of the foothills and canyons, the allowable height of conditional use structures in the FM-10 and FM-20 zones shall be determined on a case-by-case basis by the planning commission, subject to consideration of the following criteria:

1. Protection of the natural setting;
2. Relationship to other structures and open spaces;
3. Contour intervals and topographic features;
4. To the maximum extent feasible, the building height should not exceed the height of surrounding trees and vegetation;
5. Protection of scenic vistas, especially views from public rights-of-way and public lands; and
6. Other elements deemed appropriate to ensure that the provisions of [Section 19.10.010](#) are met.

B. Multifamily Residential Conditional Uses—Maximum Height. Notwithstanding the case-by-case determination permitted by this section, the maximum height of a residential conditional use in the FM zones shall not exceed one hundred feet.

#### **Density / Total Units:**

The resort is subject to the existing approved master plan which limits the resort to a maximum of 3,089 rooms (or 2,136 additional rooms over the existing 953 rooms) on private property at the resort.

Rooms have been determined to be defined as residential units or guest rooms. The development as proposed includes privately owned condominium units. The site has already received approval for 20 condominium units under application 25319. This application is asking for an additional 8 units bringing the total units at the site to 28. The 2006 master plan map indicates the intent to build a 26 room project at this location. The 28 units as requested would exceed the 26 indicated in the master plan, but the total number of units in the resort area still remains well under the approved 3,089. The addition of 2 units at this location for this project means that future development will adjust accordingly so that at buildout the resort still complies with the total permitted units as approved in their master plan.

This is clarified in the original approval of the 2006 master plan under file 23048 - Individual Project Approval Required. This section states: development shown on the Master Plan is general in nature and each individual project will require separate [approval].

### **2.3 Other Agency Recommendations or Requirements**

#### **Geology:**

The addition of a third level to the superior lodge at Snowbird is located in an avalanche slide path and adjacent to another. The avalanche analysis indicates, for the modeled slide, the building will not be inundated and gives specific pressures for all walls and the roof to be able to withstand as a result of an avalanche. Conditional geology Approval for this project is granted if the current plans are stamped by a structural engineer indicating allocated pressures will not exceed design capacity of the structure. A letter from a professionally licensed structural engineer stating the same will suffice. RBT 9/25/2013

#### **Grading:**

- 1- The construction of the building has already begun as a two story building
- 2- Application is to add third story and widen the building
- 3- Grading Around the Building will remain the with in the same L.O.D
- 4- New footings will need to be poured or existing modified for additional loads.
- 5- Site is located in the water shed next to Drainage, a SWPPP and NOI will be required.

#### **19.10.050 Limits of disturbance/setbacks.**

Because of the unique nature of the topography and climatic conditions of the foothill and canyon areas, limits of disturbance and setbacks for permitted uses including single-family dwellings and accessory structures in the FM zones shall be determined on a case-by-case basis by the development services director. Limits of disturbance and setbacks for conditional uses shall be as finally approved by the planning commission upon the recommendation of the development services director (see Chapter 19.72). All determinations of limits of disturbance shall be subject to the conditions and criteria set forth in the foothills and canyons overlay zone, Section 19.72.040, "Establishment of limits of disturbance."

#### **19.10.080 Natural hazards.**

Construction of permanent structures in areas subject to natural hazards, including floods, landslides, and avalanches, shall be subject to the requirements and limitations set forth in Chapter 19.74,

"Floodplain Hazard Regulations," and Chapter 19.75, "Natural Hazard Areas."

**19.10.090 Water quality.**

- A. Department of Health Approval Required. Prior to issuance of a conditional use permit or site plan approval for all uses in the FM zones, regardless of size or number of units, the applicant shall receive the written approval of the health department certifying that all water quality and health requirements have been satisfied and that the proposed construction will not damage the natural watershed.
- B. Developments of More than Nine Lots/Units. Developments of more than nine lots or units shall receive the written approval of the Utah Department of Environmental Quality certifying that the culinary water system and the sewerage system meet all state water quality and health requirements. All approvals shall be in accordance with the regulations of the Utah Department of Environmental Quality relating to culinary water supply and wastewater disposal.
- C. Applicable State Regulations and Standards. The applicable state regulations for individual wastewater disposal systems can be found in the Utah Administrative Code, Sections R317-501 through R317-513, as amended from time to time. The applicable state regulations for culinary water supply can be found in Utah Administrative Code, as amended from time to time.
- D. Subsequent Changes in Site Plan. If, after department of health or Utah Department of Environmental Quality review and action pursuant to this section, a site plan is modified such that the original limits of disturbance changes the applicant must submit the modified site plan to the appropriate health agency for retesting and a new determination whether all state wastewater and culinary water standards have been met. Evidence of such retesting must be submitted prior to final approval of the site plan.

**19.10.100 Grading.**

Grading shall be permitted only in conformance with the standards and limitations set forth in the foothills and canyons overlay zone, Section 19.72.030C, "Grading Standards."

**19.10.110 Tree and vegetation protection.**

Removal of trees or natural vegetation shall not be permitted except in conformance with the standards and requirements set forth in the foothills and canyons overlay zone, Section 19.72.030H, "Tree and Vegetation Protection."

**19.10.120 Utilities.**

All utilities in the FM zones shall be placed underground, except as may be provided for in Chapter 19.79, "Utility and Facility System Placement Regulations."

**19.10.130 Building location, construction and design.**

All buildings and accessory structures in the FM zones, including single-family and multifamily dwellings, shall be located, constructed, and designed in compliance with the development standards set forth in the foothills and canyons overlay zone, Section 19.72.030, "Development standards," and in Chapter 19.73 of this title, "Foothills and Canyons Site Development and Design Standards."

**19.10.140 Off-street parking.**

B. Conditional Uses. The planning commission shall determine the number of off-street parking spaces required, provided the minimum requirements of Chapter 19.80 shall be met, except that for hotels and resort hotels one-half parking space shall be provided for each guestroom. The planning commission may modify the requirements of Sections 19.80.060 through 19.80.120 if such modification will better preserve views, protect existing trees/vegetation, or reduce the amount of disturbance to steep slopes, wetlands, streams, or other sensitive environmental areas.

### 3.0 STAFF RECOMMENDATION

#### 3.1 Staff recommends **APPROVAL** of the proposed **Conditional Use** with the following conditions:

- 1 ) The total number of units in any configuration within the proposed building be limited to 28 units.
- 2 ) In order to accommodate the proposed additional units and points of access the building shall be modified to allow for an additional floor (creating 3 total) and the foot print shall be allowed to be expanded as proposed towards the existing parking garage and to the east of the building to create new covered stair access. The Limits of Disturbance (LOD) will remain as previously approved as shown on the attached plans. All previously approved Waivers and Modifications granted to this project shall apply.
- 3 ) The 28 parking spaces and 2 ADA parking spaces previously approved for this condominium project under application 24577 shall be increased to 33 parking spaces and 2 ADA spaces that shall be set aside and identified in the adjacent parking structure for Condominium parking only. The units are most likely to be used as short stay lodging versus a long-term residence. Consequently, the nature of parking is also different; actually less parking is needed than a standard residential unit. In addition to the reserved spaces Snowbird Ski and Summer Resort has significant unassigned parking that could accommodate additional needed spaces. Applicant must provide documentation to verify access to reserved spaces at the property.

#### 3.2 Reasons for Recommendation

- 1 ) It is the opinion of staff that with the proposed conditions potential impacts to the surrounding area can be mitigated and that the project as proposed is in harmony with the approved Snowbird Ski and Summer Resort Master Plan and the applicable zoning ordinance.

#### 3.3 Other Recommendations - Requirements remaining from previous approvals

- 1) **Limits of Disturbance (LOD)** fence and erosion control measures shall be installed per the approved plans and an **LOD inspection must be passed** under the building permit application prior to issuance of the building permit and commencement of construction.
- 2) Footing excavations shall be inspected and approved in writing by a qualified geotechnical engineer prior to the placement of concrete forms or rebar.
- 3) Site development and construction shall be performed in strict compliance with all FCOZ standards and requirements, other than those which have been modified or waived by the Planning Commission, and all other applicable ordinances, codes, and development standards.
- 4) Site development and building construction shall be in strict compliance with the approved site plan and building elevations. Any modifications require approval from this office prior to construction.
- 5) Upon complaint that any of the requirements of this approval or any other county ordinance is being violated, the County shall review the complaint and if substantiated, may institute revocation procedures.
- 6) Building materials and colors approved under the original Employee Housing application for this site (File #23400) shall apply to this project.
- 7) Landscaping: trees used for site re-vegetation shall be an equal mix of indigenous conifer and deciduous trees. Tree numbers and species identified in a Plant List on the Re-vegetation Plan submitted under the original Employee Housing application for this site (File #23400) shall apply to this project.
- 8) Applicant shall bond for or complete re-vegetation of all disturbed areas as shown on the previously

approved Re-vegetation/Reclamation Plan for the original Employee Housing application for this site (File #23400), prior to release of power-to-panel.

The following waivers and modifications of FCOZ standards were approved under the previous Employee Housing for this site (File #23400) shall apply to this project:

- a) Waiver of Section 19.72.030.B.1. to allow the proposed building to be constructed on slopes which are over 30%.
- b) Waiver of Section 19.72.030.B.4. which requires slopes over 30% to be maintained as open space.
- c) Modification of Section 19.72.030.J.3. to allow improvement of the Peruvian Gulch Stream as recommended by Urban Hydrology (rip-rap stream banks).
- d) Modification of Section 19.72.030.J.4. to allow the proposed building to be located approximately 84 feet from the normal high water mark of the Peruvian Gulch Stream.

*guc*

Print Form



Salt Lake County Public Works Department  
Planning and Development Services Division  
2001 S. State Street #N-3600, Salt Lake City, UT 84190-4050  
Phone: 385-468-6700 FAX: 385-468-6674  
Visit our web site: <http://www.pwpds.slco.org>

File # 28643

# Land Use & Development Application

- FCOZ     RCOZ     DWSP     Watershed     Over Pressure     Magna Main
- Natural Hazards     Other \_\_\_\_\_

Zone: FR    Community Council: \_\_\_\_\_    Planner: L. Gibson  
 Parent File # 25319 1    Date: \_\_\_\_\_

Property Address: 9525 E. Little Cottonwood Cyn Rd.    Parcel #: 30-06-401-001-5000

Name of Project: Property    Acreage: \_\_\_\_\_  
Superior Lodge at Snowbird (formerly Alpen Vista Condo miniums)

Please describe your request:  
Amend existing approval (25319) to add a 3<sup>rd</sup> story & add units

<u>New Development:</u>	<u>Modify an Existing Development:</u>	<u>Other:</u>
<input type="checkbox"/> Use and / or Site Plan Approval <input type="checkbox"/> Subdivision #lots: _____ <input type="checkbox"/> PUD #lots: _____	<input checked="" type="checkbox"/> Change Conditions of Approval <input checked="" type="checkbox"/> Change the Site Plan <input type="checkbox"/> Change the Use <input type="checkbox"/> Condo Conversion <input type="checkbox"/> Lot Consolidation <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Mobile Store <input type="checkbox"/> Signs <u>Add a story (-&gt; 3 story)</u> <u>Add units</u>	<input type="checkbox"/> Board of Adjustment Review <input type="checkbox"/> Exception Request <input type="checkbox"/> Non-Conforming <input type="checkbox"/> RCOZ Appeal (Option C) <input type="checkbox"/> Research Request <input type="checkbox"/> Re-zone <input type="checkbox"/> Vacate a Street

Is a key or gate code required to access the property?  Yes     No    If yes, code: \_\_\_\_\_ (or provide key)

Driving Directions to Property:

N:\Admin\FORMS\Planning Forms\Planning Applications\Land Use and Development Application\_useapproval july 2011.doc

\*note: all correspondence will be sent to the applicant's address:

Applicant(s): Darlene Batatian - Mountain Land Development Services LLC  
Address: 3366 S. Monte Verde Dr  
City, State, Zip: SLC UT 84109  
Phone Number(s): 801 550 0611 e-mail: dbatatian@gmail.com

Property Owner(s): Snowbird Ltd  
Address: P.O. Box 929000  
City, State, Zip: Snowbird UT 84092-9000  
Phone Number(s): 801 933-2222 e-mail: bbonar@snowbird.com

Professional(s):  Engineer  Architect  Other

Company: MJSA Architects  
Contact: Brian McCarthy  
Address: 357 W. Pierpont Ave SLC 84101  
Phone Number(s): 801 364-5181 e-mail: bmccarthy@mjsaa.com

To facilitate Salt Lake County's land use notice and review process, the undersigned hereby authorize the County to reproduce this application and all documents attached to the application for staff, officials, and the interested public:



Applicants Signature

9/6/2013

Date

Office Use Only

Dead Box # \_\_\_\_\_

Fees Due:

Application Fee..... \$ \_\_\_\_\_

Geology Initial Site Assessment..... \$ 75.00

Health Department ..... \$ 25.00

Initial Engineering Checking Fee..... \$150.00 or

\$90.00 per lot (\$180 min) for subdivisions

Cashier: \_\_\_\_\_



Salt Lake County Public Works Department  
**Planning and Development Services Division**  
 2001 S. State Street #N-3600, Salt Lake City, UT 84190-4050  
 Phone: 385-468-6700 FAX: 385-468-6674  
 Visit our web site: <http://www.pwpds.slco.org>

# AFFIDAVIT – Property Owner

STATE OF UTAH                    }  
   } ss  
 COUNTY OF SALT LAKE        }

I (we) Snowbird, Ltd. being duly sworn, depose and say that

I (we) am (are) the owner(s) of the property(s) located at:

9525 E Little Cottonwood Cyn Rd - Condominium Approval

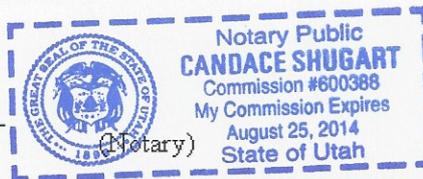
My (our) signature below attests that I (we) have reviewed the proposal by Mountain Land Devel Svcs LLC requesting review and approval of Amended Site Plan - Amend Condi'l Use Approval

and that I (we) consent to the statements and information provided in the attached plans and exhibits and that all information presented is true and correct to the best of my (our) knowledge.

Property Owner Snowbird, Ltd.  
by Snowbird Corporation, its general partner  
Jo Ann, Sr VP/CEO 9/5/13

Subscribed and sworn to me this 5<sup>th</sup> day of September, 2013.

Candace Shugart



Residing in Salt Lake County, Utah

My commission expires: 8/25/14



Layer Options Basemaps

**Identify** Info Close  
Clear

Parcel  
ID 10: 3006401001  
ID 14: 30064010015000  
Address: 9525 E LITTLE COTTONWOOD  
Acreage: 59.139999  
Owner: SNOWBIRD LTD  
Owner Address: PO BOX 929000

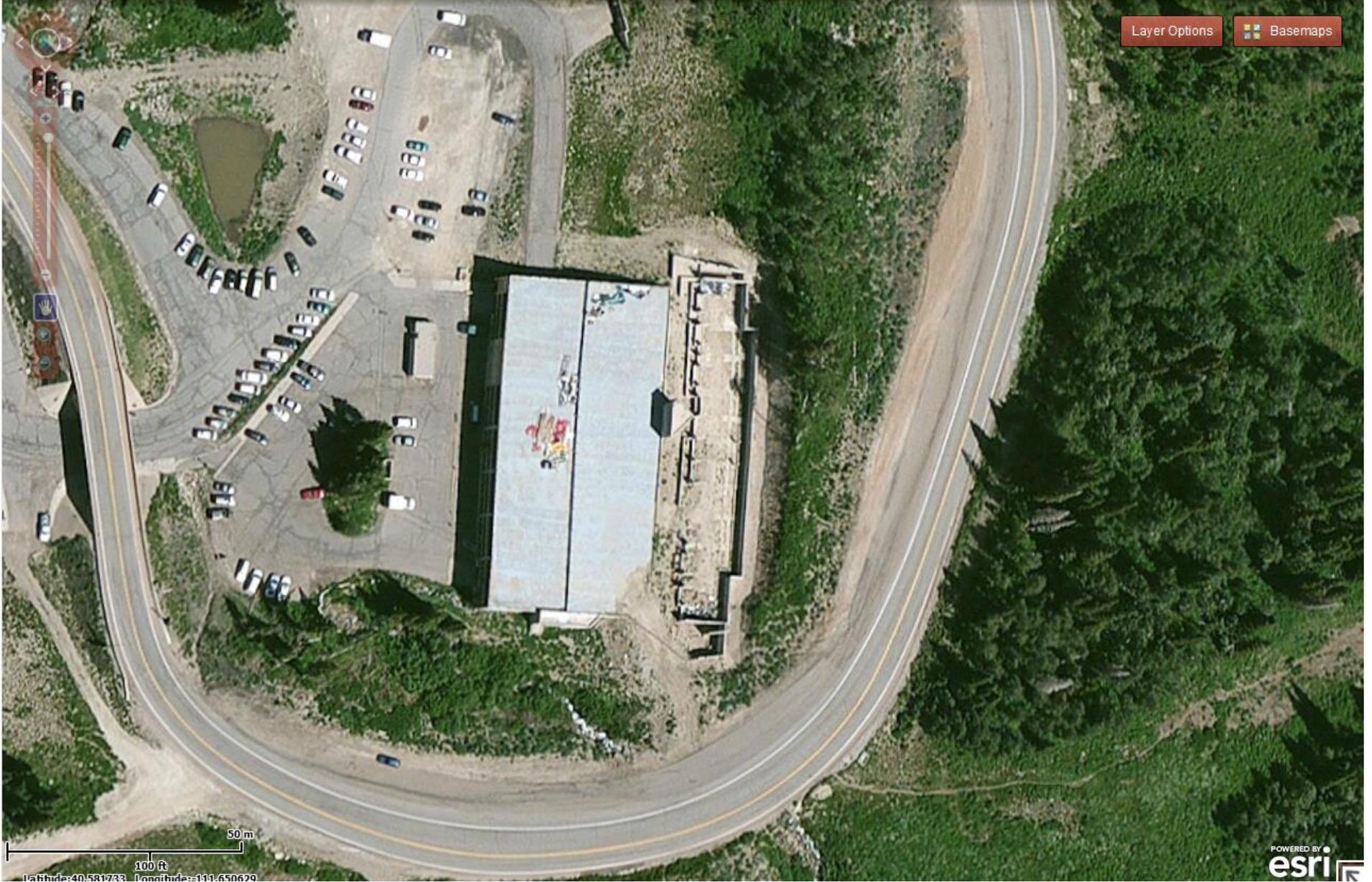


0.5 km  
0.5 mi  
Latitude: 40.573368 Longitude: -111.651824



Layer Options

Basemaps



50 m

100 ft

Latitude: 40.581733 Longitude: -111.650629





**Current Site Condition**

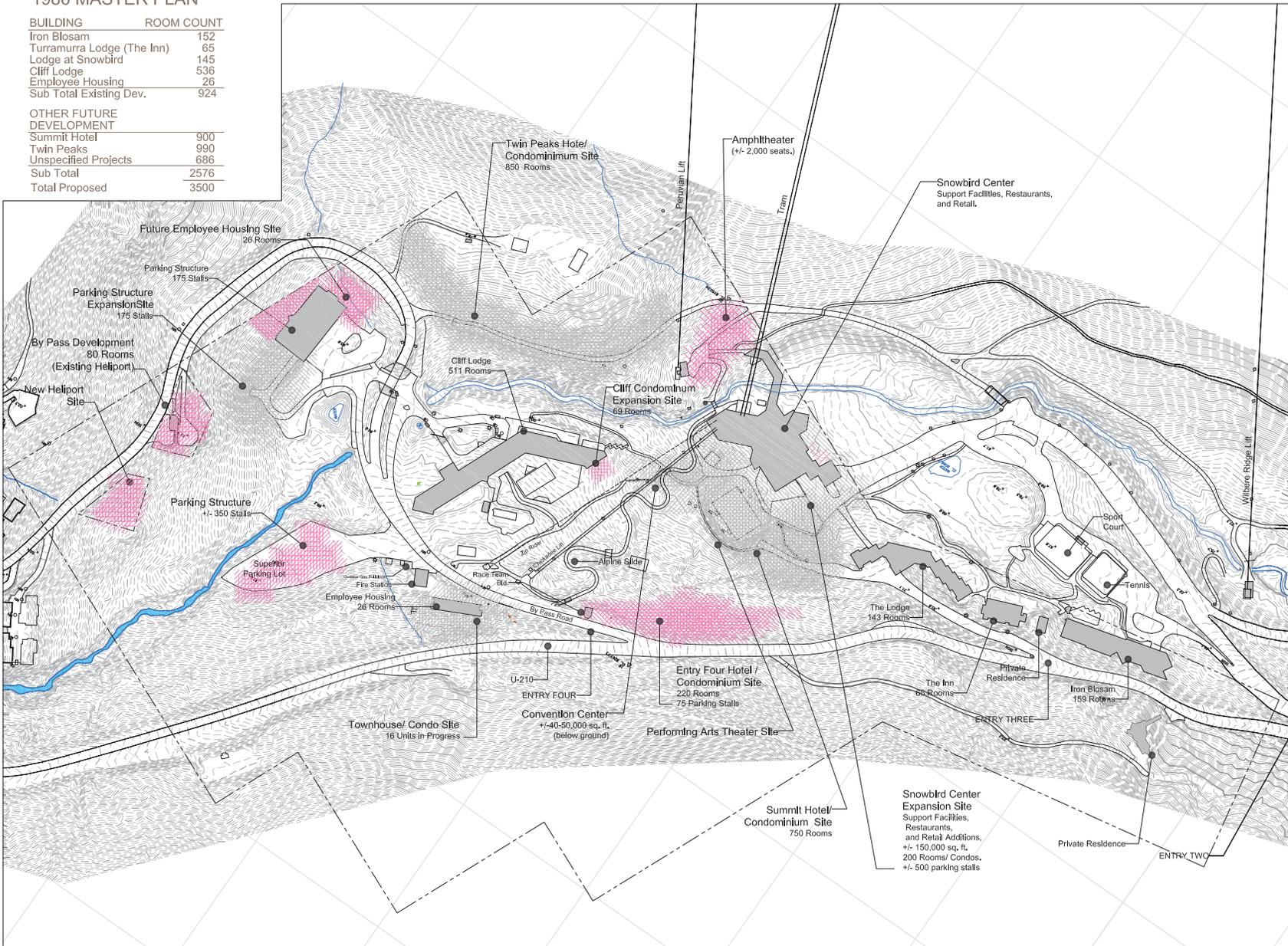
# SNOWBIRD 2006 Master Plan

## ROOM COUNT FROM 1986 MASTER PLAN

BUILDING	ROOM COUNT
Iron Blossam	152
Turramurra Lodge (The Inn)	65
Lodge at Snowbird	145
Cliff Lodge	536
Employee Housing	26
Sub Total Existing Dev.	924

## OTHER FUTURE DEVELOPMENT

Summit Hotel	900
Twin Peaks	900
Unspecified Projects	686
Sub Total	2576
Total Proposed	3500



## DEVELOPMENT DATA

EXISTING LODGING	# OF ROOMS
Iron Blossam	159
The Inn	65
Lodge at Snowbird	143
Cliff Lodge	511
Employee Housing	26
<b>Subtotal</b>	<b>904</b>

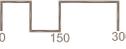
PROPOSED LODGING	# OF ROOMS
Townhouses	16
Employee Housing (Relocation-No net gain in unit count)	0
Twin Peaks Hotel/ Condo	850
Cliff/ Condo Expansion	69
Summit Hotel/ Condo	750
Snowbird Center	200
Entry Four Hotel/ Condo	220
By Pass Development	80
<b>Subtotal</b>	<b>2185</b>

<b>PROJECT TOTAL</b>	<b>3089</b>
----------------------	-------------

 1986 Master Plan  
Development Area

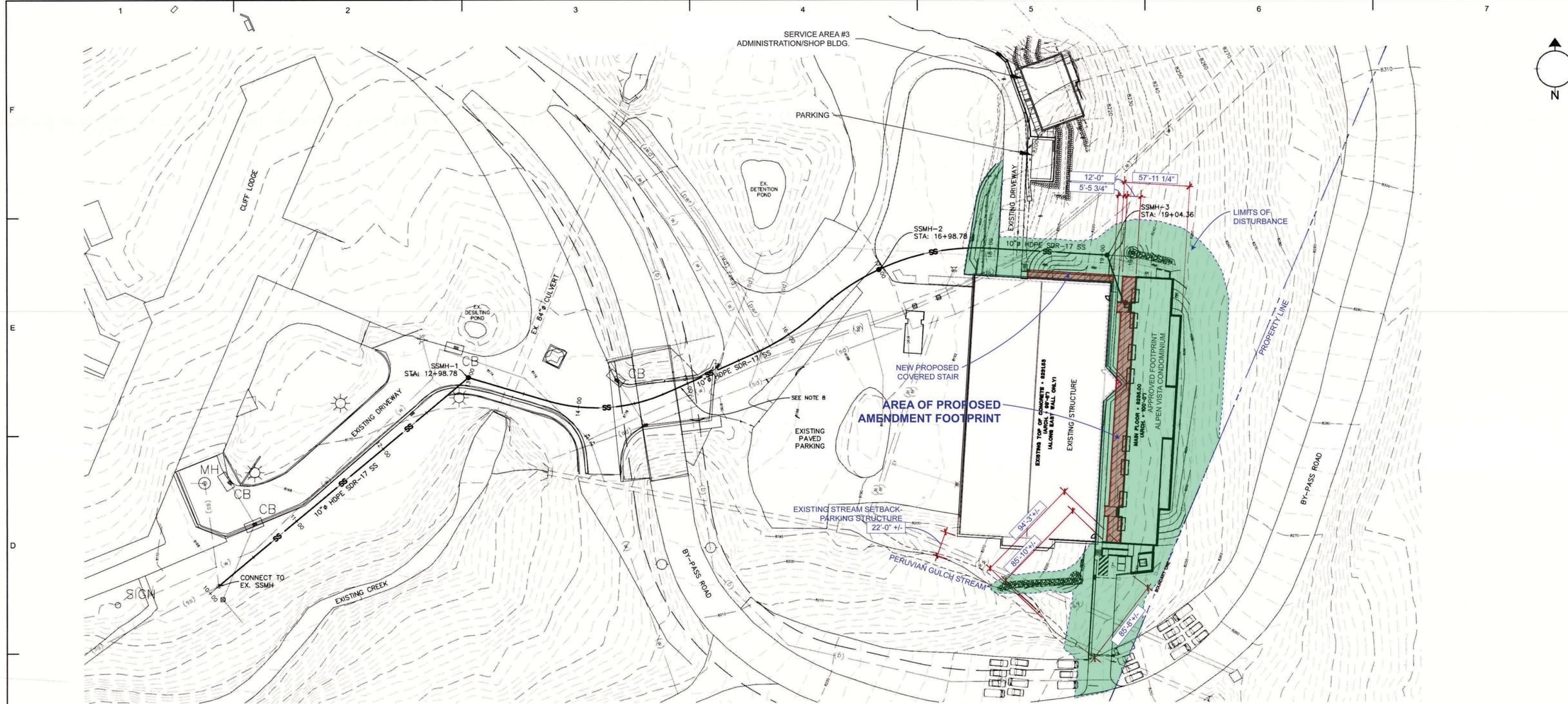
 New Development Area



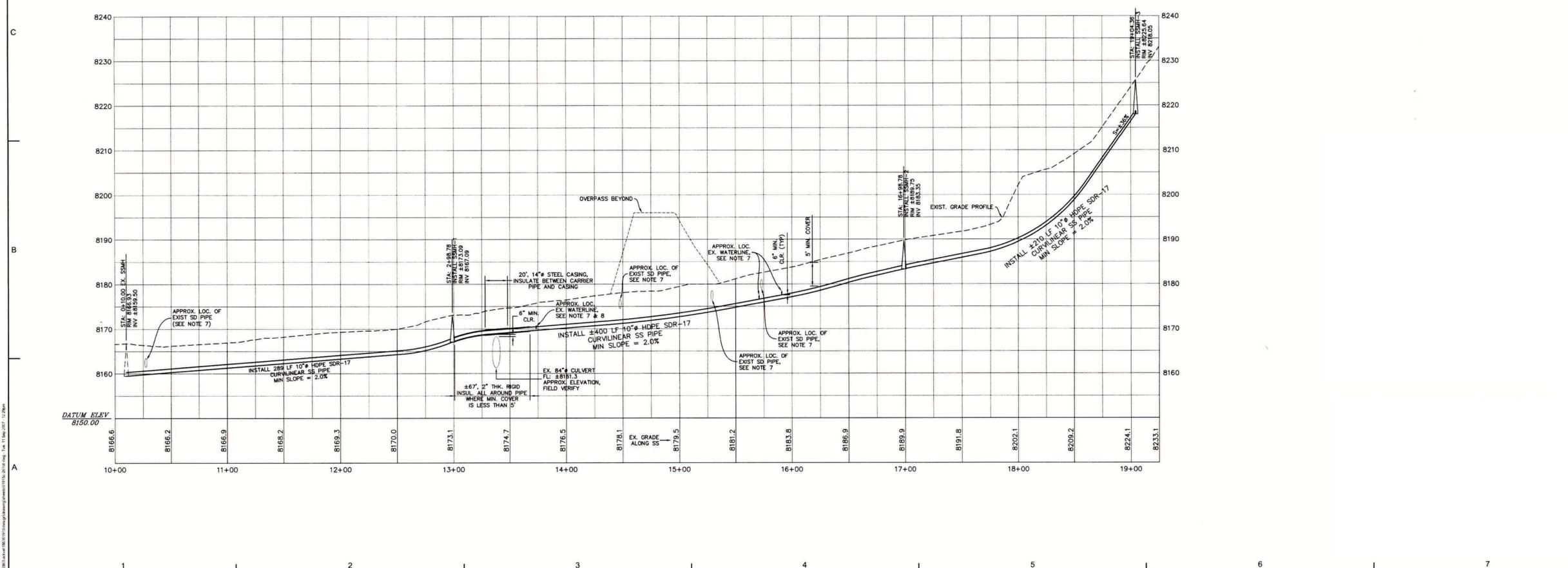
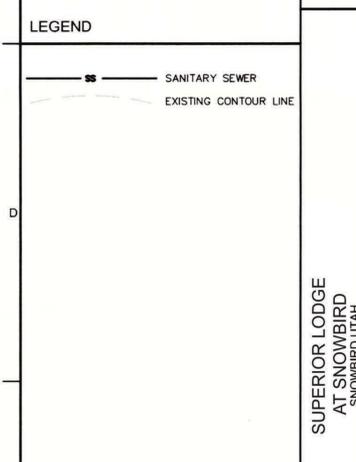
6/13/2006 







- REFERENCE NOTES**
- NO LIMITS OF DISTURBANCE (LOD) SHOWN WITHIN EXISTING PAVED AREAS.
  - NO DRAIN FIELDS OR SEPTIC TANKS ARE PROPOSED.
  - TOTAL AREA OF DISTURBANCE IS 82,538 S.F. (1.89 ACRES). ONLY UNIMPROVED GROUND AREAS ARE INCLUDED. TRENCHING IN PAVED OR GRAVEL PARKING IS NOT INCLUDED.
  - LIMITS OF DISTURBANCE (LOD) LINE ALONG THE EAST SIDE OF THE PROJECT IS SHOWN TO REFLECT TEMPORARY CONSTRUCTION LAYBACK SLOPES.
  - FIRE TURNAROUND IS SHOWN AT MAXIMUM DISTANCE FROM EXISTING PARKING STRUCTURE. FINAL DESIGN MAY MOVE IT CLOSER TO PARKING STRUCTURE.
  - CONTRACTOR TO PROVIDE ALL MEASURES NECESSARY, AS DETERMINED BY SALT LAKE CITY AUTHORIZED PERSONNEL, TO CONTROL EROSION AND PROTECT ALL WATER RESOURCES.
  - EXISTING UTILITIES SHOWN IN THE PLAN AND PROFILE VIEWS HAVE BEEN SHOWN PER RECORD DATA PROVIDED BY SNOWBIRD AND BY LIMITED TOPOGRAPHIC SURVEY. THE CONTRACTOR SHALL LOCATE ALL UTILITIES PRIOR TO NEW CONSTRUCTION.
  - INSTALL WATERLINE LOOP ON EXISTING WATERLINE AS REQUIRED.
  - THE INSTALLED LOCATION OF THE 10" HDPE SANITARY SEWER MAIN MAY REQUIRE FIELD FITTING TO ACCOMMODATE EXISTING UTILITIES AND TRAFFIC LANES. THE SEWER MAIN SHALL MAINTAIN ALL MINIMUM SLOPE AND SEPARATION REQUIREMENTS, AND REMAIN IN ACCORDANCE WITH THE SEWER DISTRICT'S SPECIFICATIONS.



**STAMP**

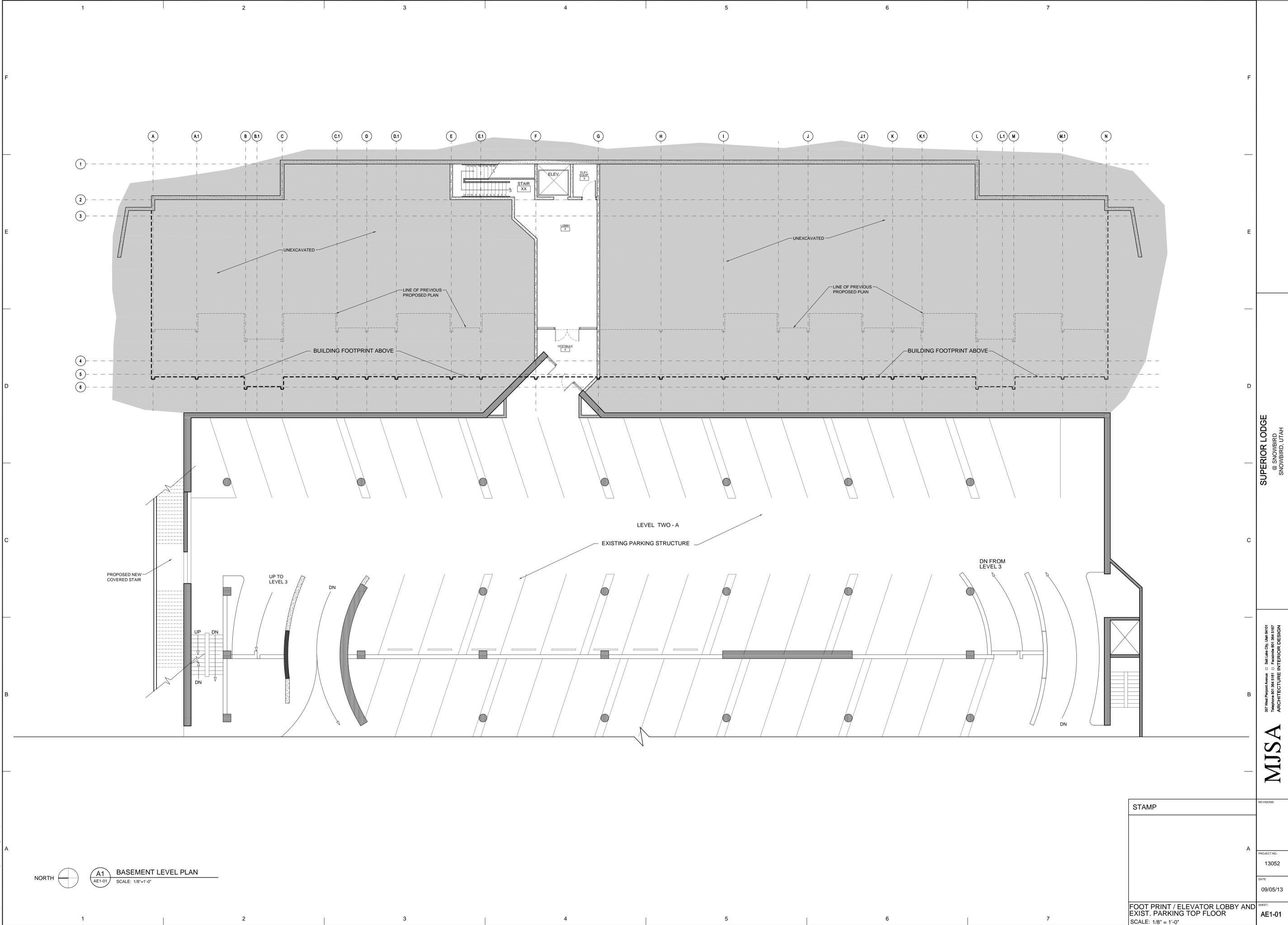
PROJECT NO: 13052  
 DATE: Sept. 5, 2013  
 SHEET: 7

**SANITARY SEWER PLAN & PROFILE**  
 SCALE: H: 1"=40' V: 1"=10'

SUPERIOR LODGE  
 AT SNOWBIRD  
 SNOWBIRD UTAH

MJSA  
 ARCHITECTURE INTERIOR DESIGN

3/13/2013 10:58:11 AM C:\Users\jgibson\OneDrive\Documents\13052\13052.dwg Plot: 11/06/2013 12:28:04



**A1** BASEMENT LEVEL PLAN  
 SCALE: 1/8"=1'-0"

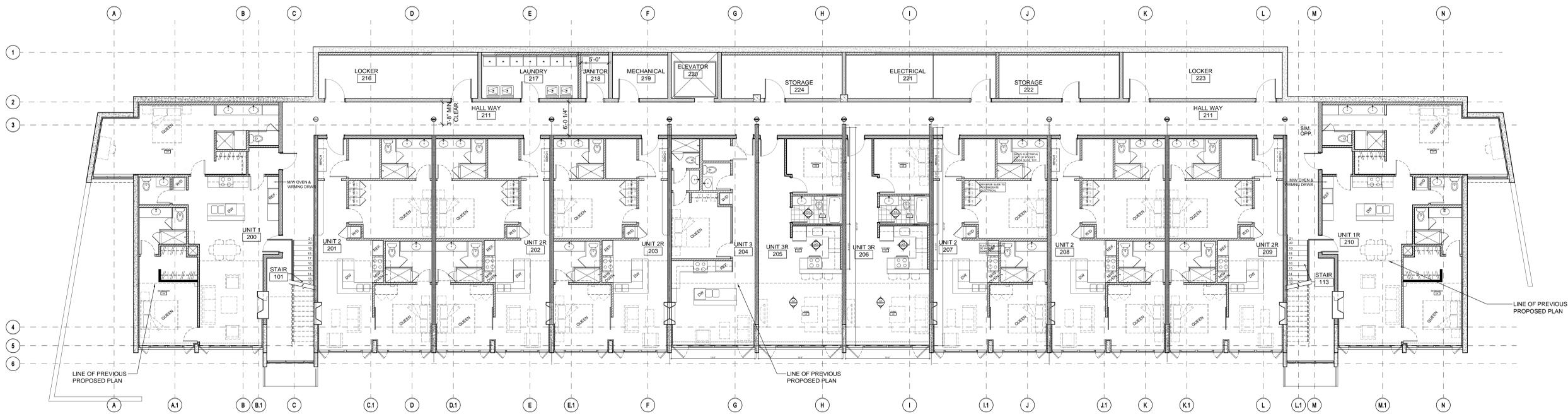
STAMP	REVISIONS:
	A
	PROJECT NO: 13052
	DATE: 09/05/13
FOOT PRINT / ELEVATOR LOBBY AND EXIST. PARKING TOP FLOOR SCALE: 1/8" = 1'-0"	

SUPERIOR LODGE  
 @ SNOWBIRD  
 SNOWBIRD, UTAH

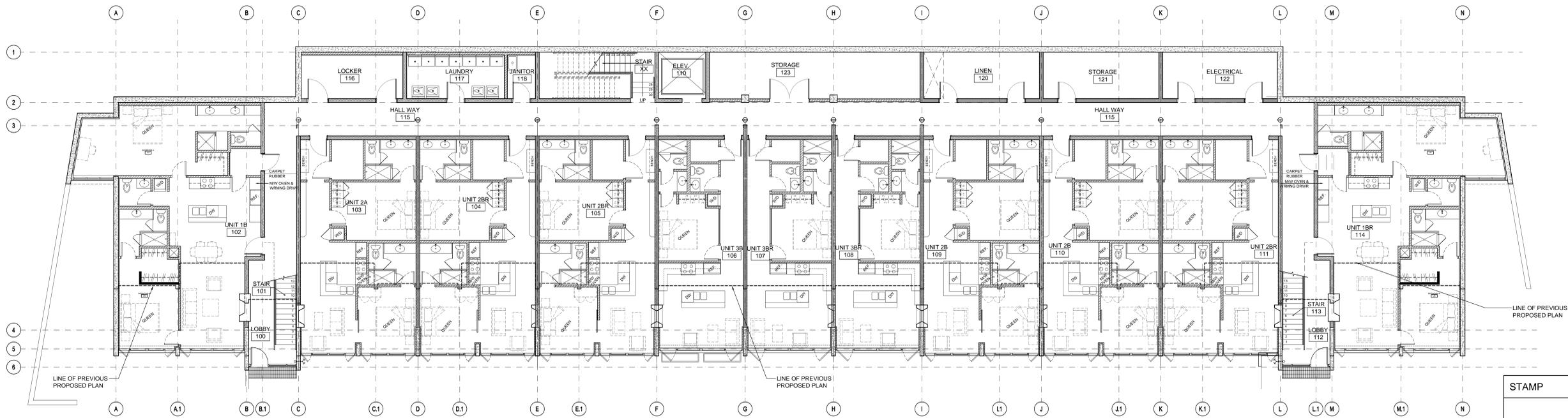
57 West Pinedale Avenue • Salt Lake City, Utah 84101  
 ARCHITECTURE INTERIOR DESIGN

**MJSA**

SHEET:  
**AE1-01**



**D1** SECOND LEVEL FLOOR PLAN  
 AE1-02 SCALE: 1/8"=1'-0"



**A1** MAIN LEVEL FLOOR PLAN  
 AE1-02 SCALE: 1/8"=1'-0"

STAMP

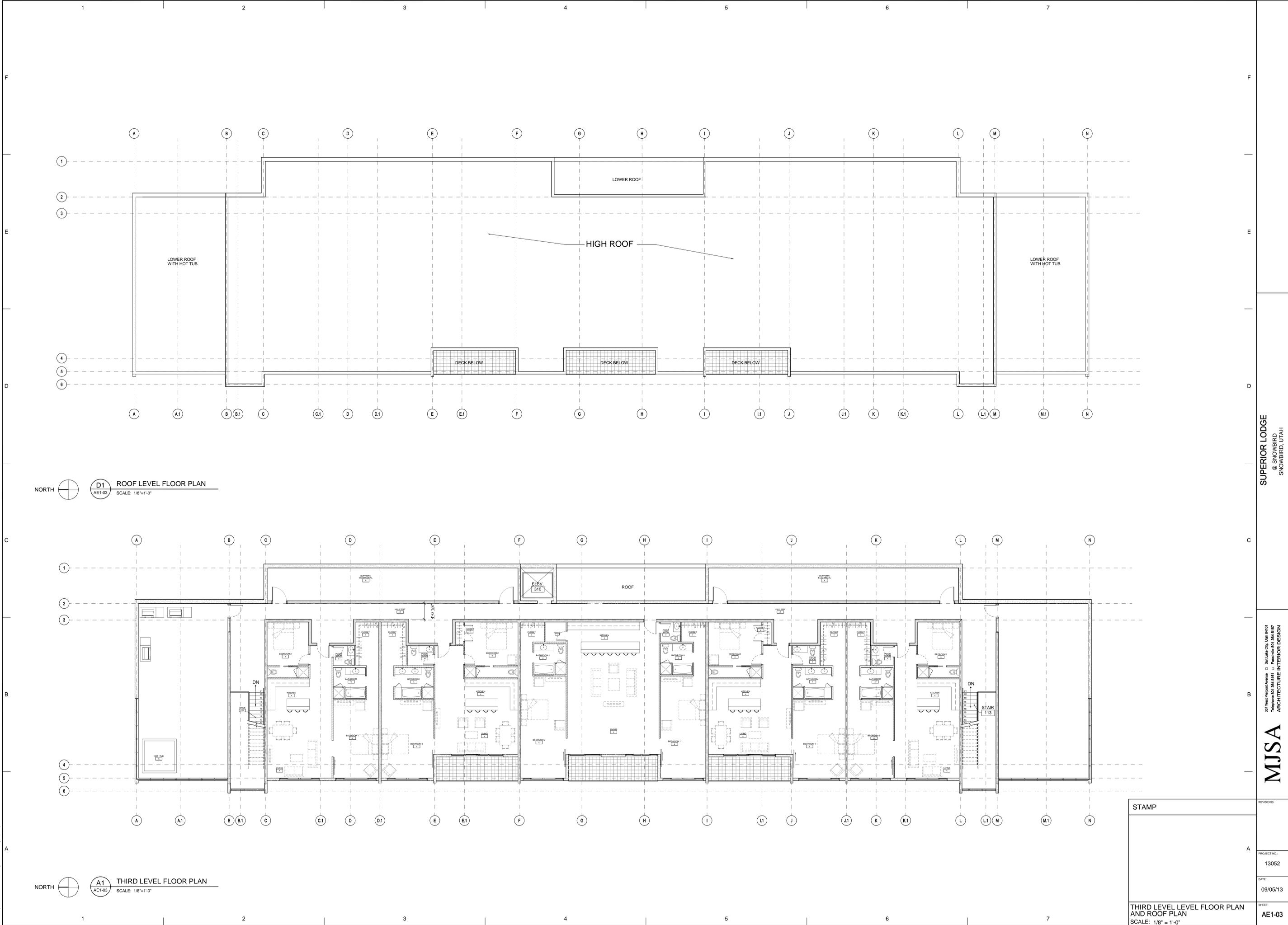
MAIN AND SECOND LEVEL FLOOR PLANS  
 SCALE: 1/8" = 1'-0"

SUPERIOR LODGE  
 @ SNOWBIRD  
 SNOWBIRD, UTAH

327 West Poplar Avenue • Salt Lake City, Utah 84101  
 (801) 466-1000  
 ARCHITECTURE INTERIOR DESIGN

**MJSA**

REVISIONS:  
 A  
 PROJECT NO:  
 13052  
 DATE:  
 09/05/13  
 SHEET:  
 AE1-02



NORTH  **D1** ROOF LEVEL FLOOR PLAN  
 AE1-03 SCALE: 1/8"=1'-0"

NORTH  **A1** THIRD LEVEL FLOOR PLAN  
 AE1-03 SCALE: 1/8"=1'-0"

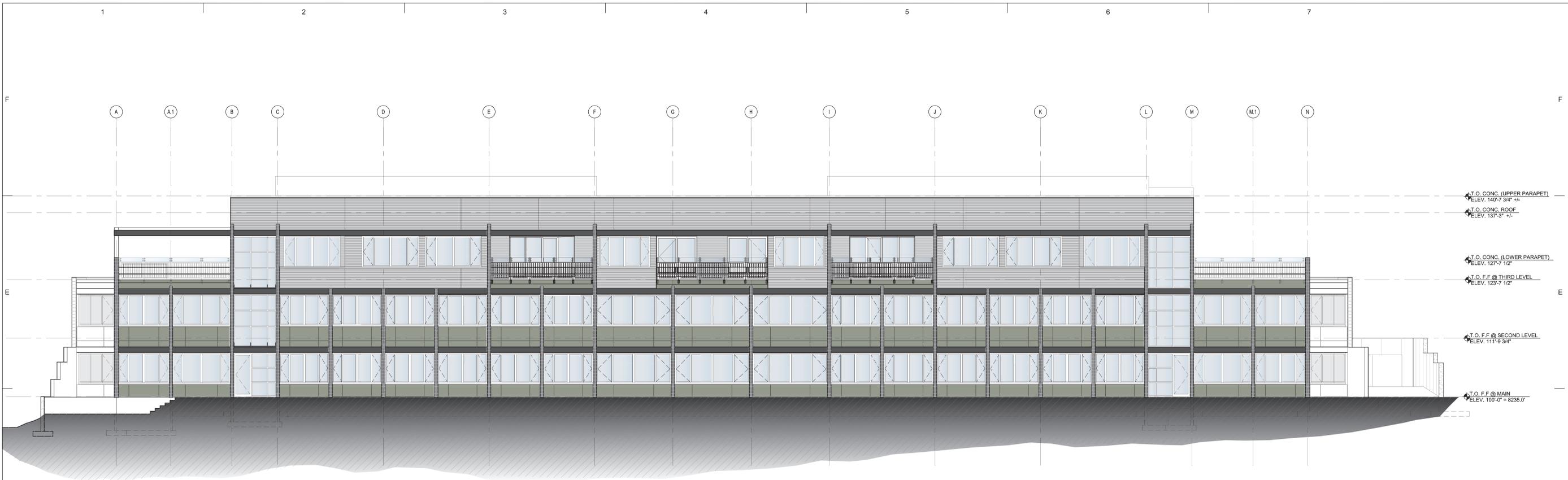
STAMP		REVISIONS
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		PROJECT NO: 13052
		DATE: 09/05/13
		SHEET: AE1-03

SUPERIOR LODGE  
 @ SNOWBIRD  
 SNOWBIRD, UTAH

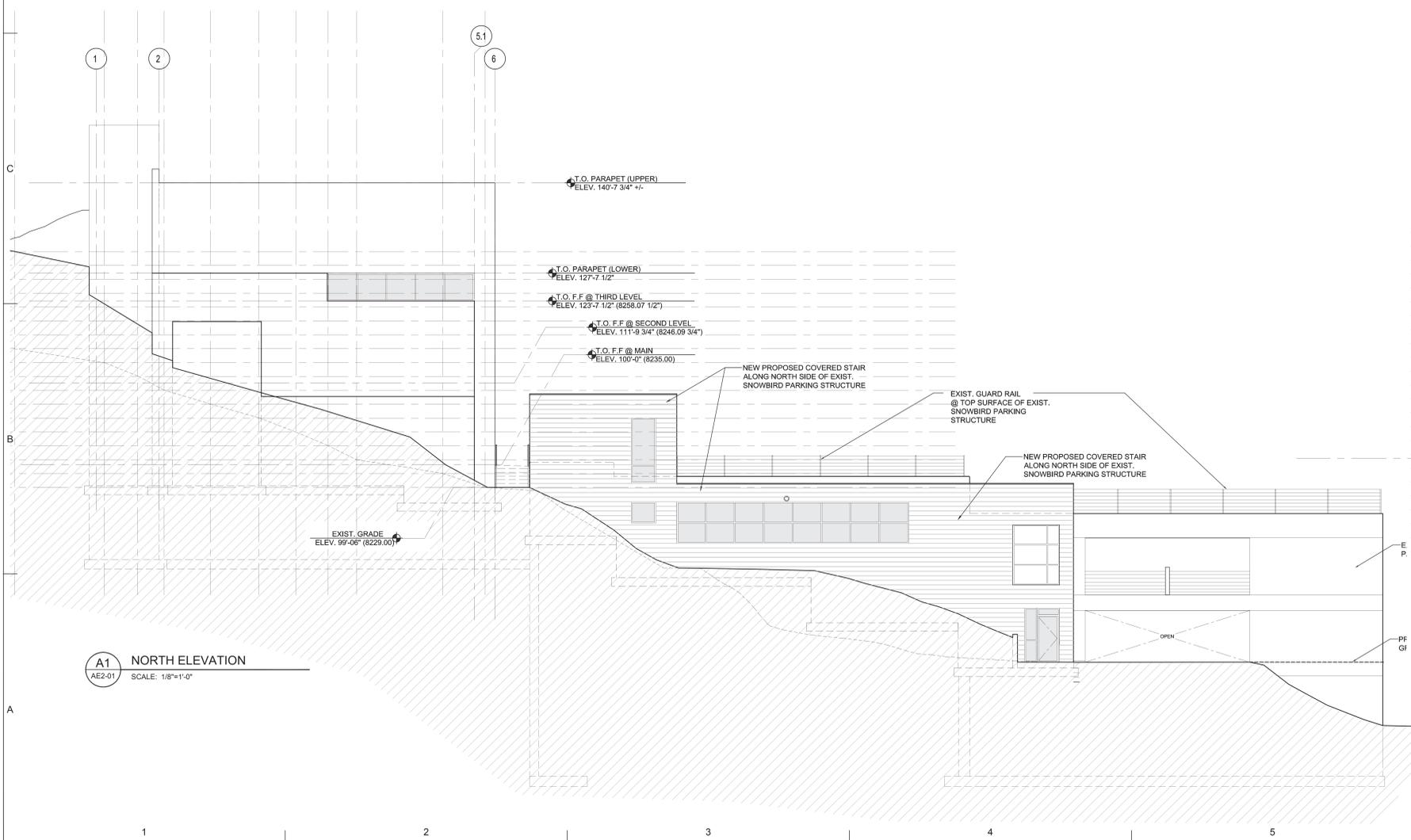
357 West Pepper Avenue • Salt Lake City, Utah 84101  
 (801) 466-1111  
 ARCHITECTURE INTERIOR DESIGN

**MJSA**

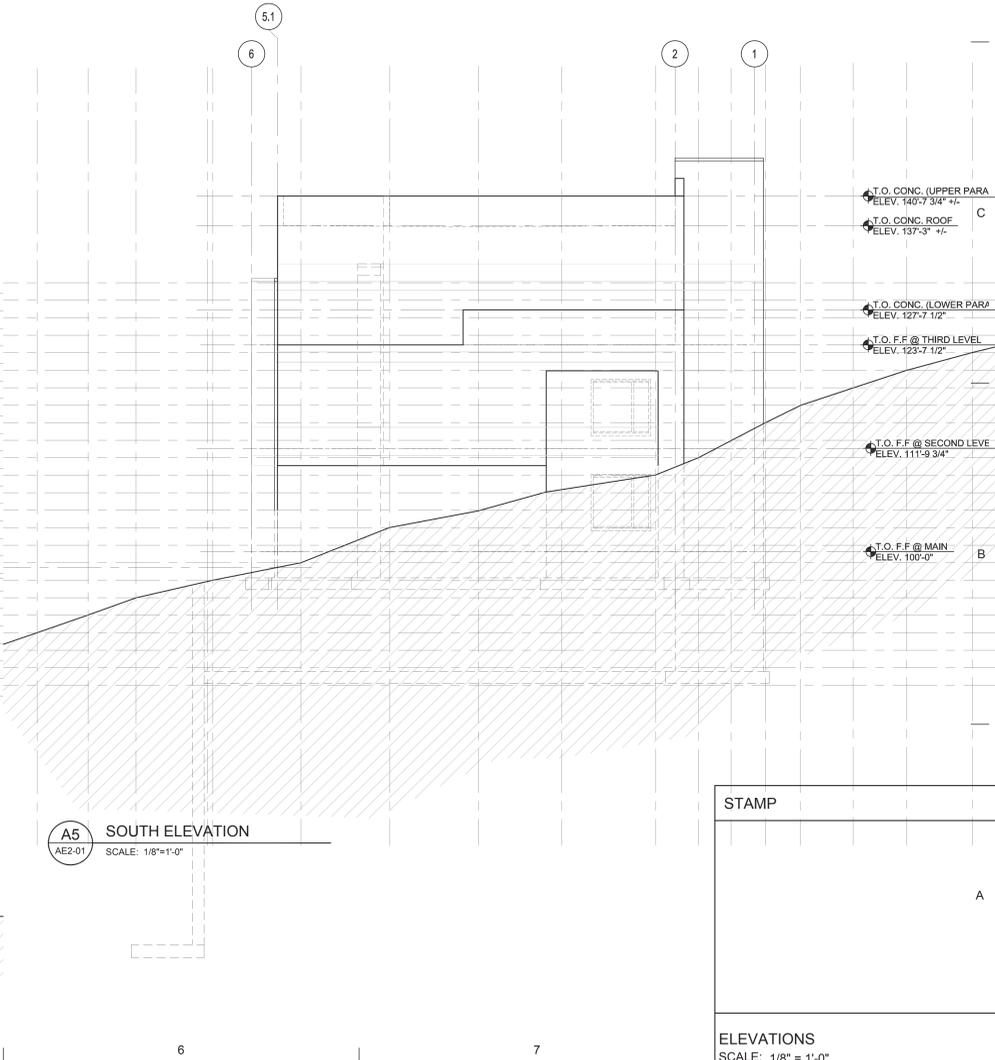
E:\13052 - Superior Lodge at Snowbird\CD\DWG - Sheets\AE1-03.dwg PL 09/05/13 11:28am



**D1 WEST ELEVATION**  
 AE1-03 SCALE: 1/8"=1'-0"

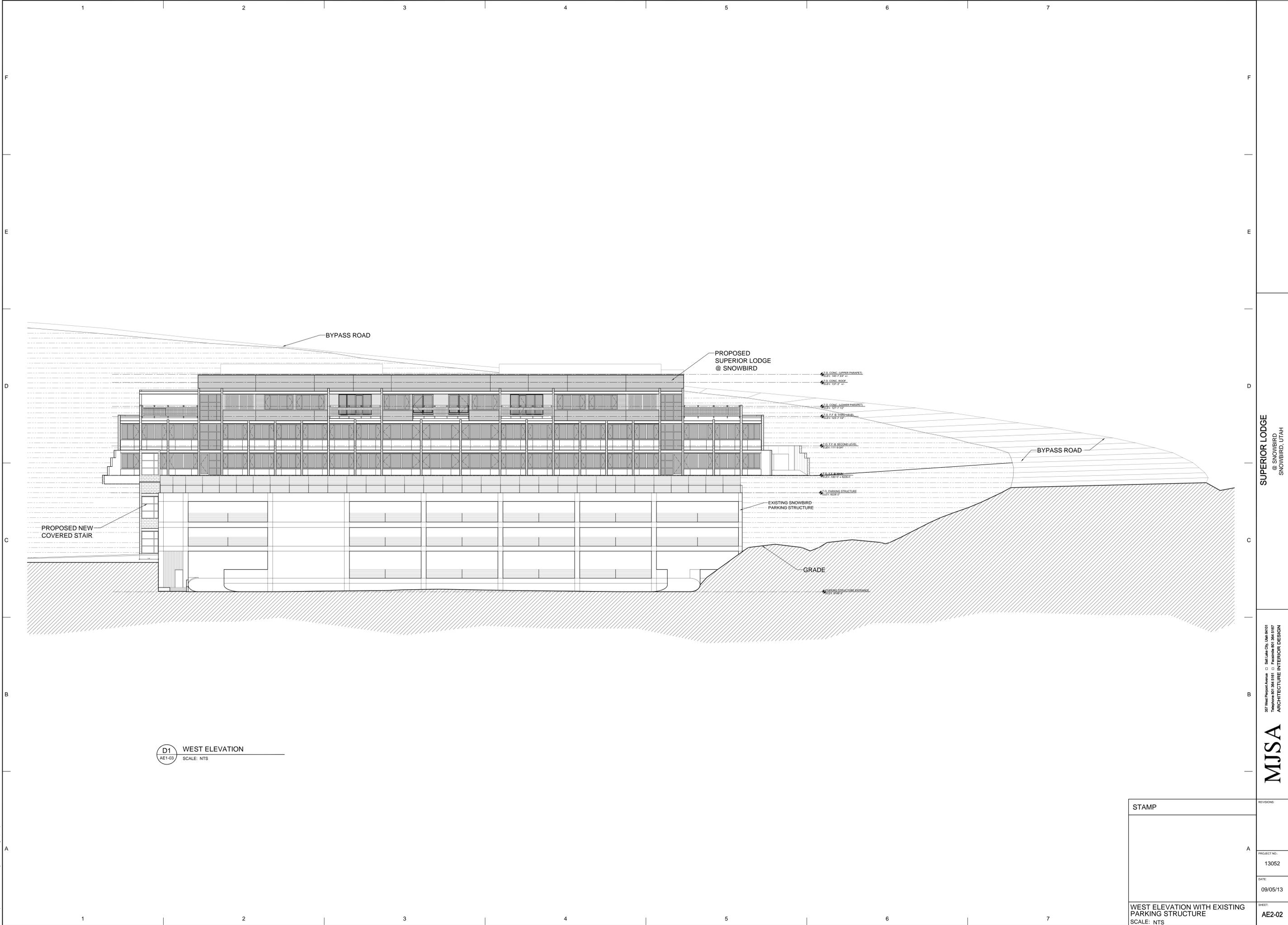


**A1 NORTH ELEVATION**  
 AE2-01 SCALE: 1/8"=1'-0"



**A5 SOUTH ELEVATION**  
 AE2-01 SCALE: 1/8"=1'-0"

STAMP	
ELEVATIONS SCALE: 1/8" = 1'-0"	



D1 WEST ELEVATION  
 AE1-03 SCALE: NTS

SUPERIOR LODGE  
 @ SNOWBIRD  
 SNOWBIRD, UTAH

37 West Pepper Avenue • Salt Lake City, Utah 84101  
 801.462.1000  
 ARCHITECTURE INTERIOR DESIGN

**MJSA**

STAMP	REVISIONS:
	A
	PROJECT NO: 13052
	DATE: 09/05/13
WEST ELEVATION WITH EXISTING PARKING STRUCTURE SCALE: NTS	
SHEET: AE2-02	

P:\13052 - Superior Lodge @ Snowbird\CAD\AE1-03.dwg, 09/05/13 11:38am



June 29, 2010

**FILE COPY**

Jerry Giles  
Snowbird Limited  
P.O. Box 929000  
Snowbird, Utah 84092-9000

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

**Linda Hamilton**  
Public Works Department  
Director

**PLANNING &  
DEVELOPMENT  
SERVICES**

**Rolen Yoshinaga**  
Planning & Development Services  
Division Director

Salt Lake County  
Government Center  
2001 South State Street  
Suite N-3600

801-468-2000  
801-468-2169 fax

**RE: File number:** 25319 – FINAL APPROVAL  
**Use Approved:** FCOZ Permitted Use – Amending a previously approved Conditional Use Permit 24577 for a 14-unit Condominium. Specifically approving the following modifications:

- Unit configuration flexibility within previously approved floor plan with a maximum of 20 total units;
- An east side addition of a 2<sup>nd</sup> floor access hallway; and
- A north side addition of an outdoor spa.

**Property location:** 9525 East Little Cottonwood Canyon Road  
**Zone:** FM-20  
**Parcel#:** 30-06-401-001-5000  
**Approval Date:** June 29, 2010

Dear Mr. Giles:

The Salt Lake County Development Services Staff has completed their review of your requested amendment to your previously approved Conditional Use Permit 24577, within the Foothills and Canyon's Overlay Zone. The amendment is approved as follows:

- 1) The unit configuration within the previously approved building footprint (except as modified by this approval to accommodate a second floor access hallway and outdoor spa as noted herein) is flexible. The previous approval was for 14 condominium units; 8 single-floor units and 6 2-floor units. This amendment allows the 2-floor units to be broken up into single floor units. In addition, any contiguous units may be combined vertically and/or horizontally within the building to create larger single units. This configuration flexibility may occur in any manner deemed necessary by the applicant as long as there are no more than 20 total units within the building and the building does not significantly change in footprint, height, area of disturbance, or square-footage beyond what is approved by this amendment application.
- 2) In order to accommodate required access to potential second floor units, the footprint of the building will be modified to add a hallway to the second floor of the east side of the building.

- 3) An outdoor spa area will be added to the north side of the building in accordance with all requirements of Salt Lake City Public Utilities watershed management. See letter from same dated May 21, 2010 attached hereto.
- 4) As a result of the hallway and spa additions, the Limits of Disturbance (LOD) will be modified as shown on the attached plans to accommodate the additions and associated grading as approved herein.

This amendment is approved subject to the following requirements:

**Items to Note for Building Permit Review and Inspections**

- 1) **Limits of Disturbance (LOD)** fence and erosion control measures shall be installed per the approved plans and an **LOD inspection must be passed** under the building permit application prior to issuance of grading or building permits and commencement of construction. **Please call 468-2633 to schedule the LOD inspection.**
- 2) A **Health Department Pre-Construction Inspection is NOT required** prior to issuance of a building permit since the site is on sewer.
- 3) Footing excavations shall be inspected and approved in writing by a qualified geotechnical engineer prior to the placement of concrete forms or rebar.

**General Items**

- 4) Site development and construction shall be performed in strict compliance with all FCOZ standards and requirements, other than those which have been modified or waived by the Planning Commission, and all other applicable ordinances, codes, and development standards.
- 5) Site development and building construction shall be in strict compliance with the approved site plan and building elevations. Any modifications require approval from Salt Lake County Planning and Development Services prior to construction.
- 6) Upon complaint that any of the requirements of this approval or any other County ordinance is being violated, the County shall review the complaint and if substantiated, may institute revocation procedures.

**Planning**

- 7) The following waivers and modifications of FCOZ standards were approved under the previous Employee Housing application for this site (File #23400) and shall apply to this amended project as well:
  - a) Waiver of Section 19.72.030.B.1. to allow the proposed building to be constructed on slopes which are over 30%;

- b) Waiver of Section 19.72.030.B.4. which requires slopes over 30% to be maintained as open space;
  - c) Modification of Section 19.72.030.J.3. to allow improvement of the Peruvian Gulch Stream as recommended by Urban Hydrology (rip-rap stream banks); and
  - d) Modification of Section 19.72.030.J.4. to allow the proposed building to be located approximately 84 feet from the normal high water mark of the Peruvian Gulch Stream.
- 8) The Limits of Disturbance (LOD) for the project is approved as shown on the attached plans.
- 9) Building materials and colors approved under the original Employee Housing application for this site (File #23400) shall apply to this project.
- 10) Landscaping: trees used for site re-vegetation shall be an equal mix of indigenous conifer and deciduous trees. Tree numbers and species identified in a Plant List on the Re-vegetation Plan submitted under the original Employee Housing application for this site (File #23400) shall apply to this project.
- 11) Applicant shall bond for or complete re-vegetation of all disturbed areas as shown on the previously approved Re-vegetation/Reclamation Plan for the original Employee Housing application for this site (File #23400), prior to release of power-to-panel.
- 12) The 28 parking spaces and 2 ADA parking spaces previously approved for this condominium project under application 24577 shall be set aside and identified in the adjacent parking structure for Condominium parking only. While additional units could potentially be created by this approval, the total square footage of living space in the building does not change. In addition, the units are most likely to be used as short stay lodging versus long-term residences. Consequently, the nature of parking is also different; less parking is needed than a standard residential unit. Therefore, the previously approved parking is still adequate for the project.

**Engineering Review Specialist**

- 13) As previously approved under applications 24300 and 24577.

**Grading**

- 14) As previously approved under applications 24300 and 24577.

**Fire**

- 15) This project must meet all local building and Fire Code Requirements

16) 2) Fire systems required: N.F.P.A 13, Fire alarm, P.I.V. 3) Monitoring

**Urban Hydrology**

17) As previously approved under applications 24300 and 24577.

**Transportation**

18) As previously approved under application 24300 and 24577.

**Building**

19) At time of building permit application, provide complete building plans showing compliance with current building code.

20) At time of building permit application, provide fire flow verification and/or show how compliance is going to be made with any Unified Fire District Guidelines

**Flood Control**

21) Appropriate "Pollution Precautions" measures must be implemented.

22) Flood Control Permit not required.

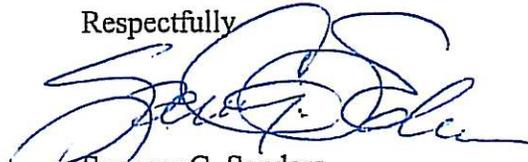
**Salt Lake City Public Utilities - Watershed**

23) See letter attached dated May 21, 2010 from Salt Lake City Public Utilities. Specific conditions are indicated.

This letter and the attached approved plans constitute your **land use permit**. The land use permit is kept in the file until you are ready to apply for your building permit. **A copy of the land use permit must be attached to each set of your construction drawings at the time you apply for a building permit.**

**You must obtain a building permit within 1 year of the date of this approval or the approval will automatically lapse and be null and void.**

Respectfully



Spencer G. Sanders  
Planner

pc: Application 25319



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

**Linda Hamilton**  
Public Works Department  
Director

**PLANNING &  
DEVELOPMENT  
SERVICES**

**Rolen Yoshinaga**  
Planning & Development Services  
Division Director

Salt Lake County  
Government Center  
2001 South State Street  
Suite N-3600

801-468-2000  
801-468-2169 fax

June 29, 2010

Jerry Giles  
Snowbird Limited  
P.O. Box 929000  
Snowbird, Utah 84092-9000

**FILE COPY**

**RE: File number:** 25319 – FINAL APPROVAL  
**Use Approved:** FCOZ Permitted Use – Amending a previously approved Conditional Use Permit 24577 for a 14-unit Condominium. Specifically approving the following modifications:

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**Property location:** 9525 East Little Cottonwood Canyon Road  
**Zone:** FM-20  
**Parcel#:** 30-06-401-001-5000  
**Approval Date:** June 29, 2010

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- 4) As a result of the hallway and spa additions, the Limits of Disturbance (LOD) will be modified as shown on the attached plans to accommodate the additions and associated grading as approved herein.

This amendment is approved subject to the following requirements:

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- 4) Site development and construction shall be performed in strict compliance with all FCOZ standards and requirements, other than those which have been modified or waived by the Planning Commission, and all other applicable ordinances, codes, and development standards.
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- b) Waiver of Section 19.72.030.B.4. which requires slopes over 30% to be maintained as open space;
  - c) Modification of Section 19.72.030.J.3. to allow improvement of the Peruvian Gulch Stream as recommended by Urban Hydrology (rip-rap stream banks); and
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**Transportation**

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22) Flood Control Permit not required.

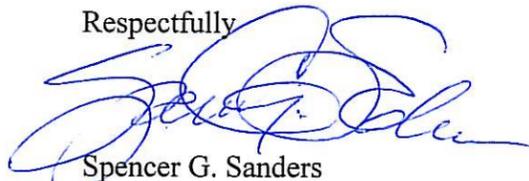
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**You must obtain a building permit within 1 year of the date of this approval or the approval will automatically lapse and be null and void.**

Respectfully



Spencer G. Sanders  
Planner

pc: Application 25319

April 2, 2009

Jerry Giles  
Snowbird Limited  
P.O. Box 929000  
Snowbird, Utah 84092-9000

RE: Conditional Use # 24577

Property Address: 9525 East Little Cottonwood Canyon Road  
Approved Use: FCOZ Conditional Use Permit/ Change of use from  
22 Units of Employee Housing to 14 Unit  
Condominium Development– Snowbird Resort  
Parcel Number: 30-06-401-001-5000  
**Date of Approval: April 2, 2009**

Dear Mr. Giles:

THIS LETTER AND THE ATTACHED APPROVED PLAN(S) CONSTITUTE YOUR CONDITIONAL USE PERMIT. All improvements that are required by the Salt Lake County Development Code or by Planning Commission action must be installed or bonded for prior to final electrical inspection (power to panel) or, if no electrical inspection is required, prior to the issuance of an Occupancy Permit for the land being developed or issuance of a Business License for the approved use.

Approval of this Conditional Use is subject to the following conditions:

**General**

1. Site development and construction shall be performed in strict compliance with all FCOZ standards and requirements, other than those which have been modified or waived by the Planning Commission, and all other applicable ordinances, codes, and development standards.
2. Building construction and site development shall be performed in strict accordance with approved plans. Any proposed changes to approved plans shall be reviewed and approved by Salt Lake County in writing prior to construction.

**Planning**

3. The following waivers and modifications of FCOZ standards were approved under the previous Employee Housing for this site (File #23400) shall apply to this project:
  - a. Waiver of Section 19.72.030.B.1. to allow the proposed building to be constructed on slopes which are over 30%.
  - b. Waiver of Section 19.72.030.B.4. which requires slopes over 30% to be maintained as open space.

- c. Modification of Section 19.72.030.J.3. to allow improvement of the Peruvian Gulch Stream as recommended by Urban Hydrology (rip-rap stream banks).
- d. Modification of Section 19.72.030.J.4. to allow the proposed building to be located approximately 84 feet from the normal high water mark of the Peruvian Gulch Stream.
4. Limits of disturbance (LOD): the LOD plan approved under the previous Employee Housing for this site (File #23400) shall apply to this project.
5. Building materials and colors approved under the previous Employee Housing for this site (File #23400) shall apply to this project.
6. Landscaping: trees used for site re-vegetation shall be an equal mix of indigenous conifer and deciduous trees. Tree numbers and species identified in a Plant List on the Re-vegetation Plan submitted under the previous Employee Housing for this site (File #23400) shall apply to this project.
7. Applicant shall bond for or complete re-vegetation of all disturbed areas as shown on the previously approved Re-vegetation/Reclamation Plan for the Employee Housing for this site (File #23400), prior to release of power-to-panel.
8. The 28 parking spaces and 2 ADA parking spaces required for this 14 unit condominium project shall be set aside and identified in the adjacent parking structure for Condominium parking only.

#### **Grading**

9. Grading and drainage plans for this site were approved under the previous Employee Housing for this site (File #23400) and shall apply to this project.

#### **Hydrology**

10. The developer shall grade this property in accordance with the approved site grading and lot drainage plan so as not to discharge any additional storm water onto adjacent properties.
11. The developer shall be required to permanently contain all generated water on his own property or routed to a county drainage system.
12. FCOZ requires all buildings, accessory structures and parking lots shall be set back at least one-hundred (100) feet horizontally, from the ordinary high-water mark of a perennial stream. Perennial streams are those that flow year-round during years of normal rainfall. Peruvian Gulch is a perennial stream.

#### **Health & Salt Lake City Watershed**

13. Sewage and all interior floor drains must connect to the public sanitary sewer system.
14. The contractor must use best management practices (BMP's) and measure necessary, as determined by County personnel and Salt Lake City watershed personnel, to control erosion and protect all water sources from potential pollutants and contaminants. Silt fence or equivalent must be installed on the lower end of all disturbed areas.
15. Hot tubs and/or swimming pools are not allowed on this site or as part of this project.

#### **Fire**

16. Fire department access and turnaround shall be provided as shown under the previously approved submittal for employee housing (File #23400).
17. An automatic fire sprinkler system shall be installed.
18. An automatic fire alarm system shall be installed.
19. The fire hydrant installation at the locations to be the same as shown on the previously approved submittal for employee housing (File #23400).

**Traffic**

20. Utah Department of Transportation has approved a restricted maintenance access from the Bypass Road for the 14 unit condominium project. A copy of UDOT's March 23, 2009 approval is on file with the County.

**Building**

21. A new building permit is required.
22. Two full sets of plans with engineering to be submitted at time of building permit application. Plans need to show accessible parking and accessible route to building.
23. Applicant must submit sufficient information to our office proving that proper and adequate measures have been included in the design of the structure to withstand an avalanche. A building permit will not be issued until such a determination can be reached.

This Conditional Use Permit will expire if a building permit has not been obtained, a business license been issued, or the use has not commenced within 24 months from the date of approval specified above. A one-year extension may be requested. To request an extension you must submit a letter explaining why the extension is needed and pay a fee that is equal to the original filing fee. A request for extension shall be filed prior to the expiration date.

THIS LETTER AND THE ATTACHED APPROVED PLANS SHOULD BE ATTACHED TO EACH SET OF PLANS WHEN APPLYING FOR A BUILDING PERMIT.

Sincerely,

Carol Wong  
Planner

cc: File #24577







**STAFF REPORT**

Executive Summary									
<b>Hearing Body:</b>	Salt Lake County Planning Commission								
<b>Meeting Date and Time:</b>	Wednesday, October 16, 2013	08:30 AM	<b>File No:</b>	2	8	6	4	0	
<b>Applicant Name:</b>	Salt Lake County	<b>Request:</b>	Ordinance Amendment						
<b>Description:</b>	Changes to the definition of "family food production" and to the R-1-21 and R-								
<b>Location:</b>	Council Chambers								
<b>Community Council Rec:</b>	Not yet received								
<b>Staff Recommendation:</b>	Approval								
<b>Planner:</b>	Curtis Woodward								

**1.0 BACKGROUND**

**1.1 Summary**

Currently the R-1-21 and R-1-43 (estate residential) zones allow the keeping of animals and fowl for family food production as a permitted use. Family food production involves the keeping of a limited number of "farm" animals, which may have an impact on neighboring properties. Changes are being proposed to reduce the number of animals which may be kept, and to require conditional use approval in the R-1-43 and R-1-21 zones for this use. The conditional use process will allow planning commission oversight and the imposition of conditions of approval to mitigate any negative impacts that may result from the keeping of these types of animals.

**1.3 Community Council Response**

Not yet received at the time the staff report was written

**2.0 ANALYSIS**

**2.1 Existing Ordinance**

"Family Food Production" is currently defined as: the keeping of not more than two cows, two sheep, two goats, twenty rabbits, fifty chickens, fifty pheasants, ten ducks, ten turkeys, ten geese and twenty pigeons, provided that an additional number of animals equal to two times the number listed above, and an additional number of fowl equal to five times the number listed above may be kept for each one-half acre of the lot over and above the minimum number of square feet required for a single-family residential lot in the zone, and provided that not more than three of the above-listed kinds of animals and fowl are permitted at any one time on any lot smaller than one-half acre.

It is listed as a permitted use in the R-1-21 an R-1-43 zones, with the only restriction being found in section 19.76.240: No animals or fowl shall be kept or maintained closer than forty feet from any dwelling on an adjacent parcel of land

**2.2 Proposed Ordinance**

The proposed ordinance removes the provision that allows for an increased number of animals for lots that exceed the minimum acreage requirement in the zone, and also limits the number of different types of animals that may be kept on one lot to three. It also removes "the keeping of animals and fowl for family food production" from the permitted use list in the R-1-21 and R-1-43 zones, and inserts it into the conditional use list in the same zones.

### **3.0 STAFF RECOMMENDATION**

**3.1 Staff recommends APPROVAL of the proposed Ordinance Amendment.**

#### **3.2 Reasons for Recommendation**

- 1 ) The proposed changes will allow appropriate conditions of approval to be imposed on residential properties on which family food production animals are allowed.
- 2 ) The proposed changes will also establish reasonable limits on the numbers of animals on residentially zoned (R-1-21 and R-1-43) lots.

SALT LAKE COUNTY ORDINANCE

Ordinance No. \_\_\_\_\_, 2013

AN ORDINANCE AMENDING SECTIONS 19.04.235, 19.14.020, AND 19.14.030 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, REGARDING THE DEFINITION OF FAMILY FOOD PRODUCTION AND BY MAKING FAMILY FOOD PRODUCTION A CONDITIONAL USE IN THE R-1-21 ZONE AND MAKING OTHER RELATED CHANGES.

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 19.04.235 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

**19.04.235 - Family food production.**

"Family food production" means the keeping of not more than two cows, two sheep, two goats, twenty rabbits, fifty chickens, fifty pheasants, ten ducks, ten turkeys, ten geese and twenty pigeons, ~~[provided that an additional number of animals equal to two times the number listed above, and an additional number of fowl equal to five times the number listed above may be kept for each one-half acre of the lot over and above the minimum number of square feet required for a single family residential lot in the zone,~~ ~~and]~~ provided that not more than three of the above-listed kinds of animals and fowl are permitted at any one time on any ~~[lot smaller than one-half acre]~~ lot in zones where family food production may be a permitted or conditional use.

SECTION III. Section 19.14.020 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

**19.14.020 - Permitted uses.**

Permitted uses in the R-1 zones are as follows:

Zone	Permitted Uses
All R-1 zones	—Accessory uses and buildings customarily incidental to a permitted use provided the total square footage of all accessory buildings does not exceed eight hundred square feet on lots under one-half acre or one thousand two hundred square feet on lots one-half acre or larger;
	—Agriculture;
	—Home business, subject to Chapter 19.85
	—Home day care/preschool, subject to Section 19.04.293
	—Household pets;
	—Residential facility for persons with a disability, provided that each such facility shall not be located within one-half mile of a similarly-licensed residential facility for persons with a disability.
R-1-6, R-1-7, R-1-8, R-1-10, R-1-15	—Single-family dwelling.
R-1-21, R-1-43	<del>—Animals and fowl for family food production;</del>
	—Guesthouse, the square footage must be less than one thousand two hundred square feet;
	—Maximum of four horses for private use only, not for rental;
	—Single-family dwelling.

SECTION IV. Section 19.14.030 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

**19.14.030 - Conditional uses.**

Conditional uses in the R-1 zones are as follows:

Zone	Conditional Uses
All R-1 zones	—Accessory uses and buildings customarily incidental to a conditional use. Any accessory building or buildings where the total square footage exceeds eight hundred square feet on lots under one half-acre or one thousand two hundred square feet on lots one-half acre or larger;
	—Cemetery;

	—Day care/preschool center, subject to Section 19.76.260
	—Golf course;
	—Home day care/preschool, subject to Section 19.04.293
	—Planned unit development;
	—Private educational institutions having an academic curriculum similar to that ordinarily given in public schools;
	—Private nonprofit recreational grounds and facilities;
	—Public and quasi-public uses;
	—Residential facility for elderly persons;
	—Temporary buildings for uses incidental to construction work, which building must be removed upon the completion of the construction work. If such buildings are not removed within ninety days upon completion of construction work or thirty days after notice, the building will be removed by the county at the expense of the owner.
R-1-3, R-1-4,	—Single-family dwelling.
R-1-5	—Single-family project developments The planning commission may approve a detailed development plan for the entire single-family project in an R-1-3, R-1-4, R-1-5 zone, pursuant to Chapter 19.84 of this title. Thereafter, the development services division director may, as authorized by the planning commission, approve use permits for individual residential uses, provided that the plans comply with all requirements and conditions of the approved development plan.
R-1-6, R-1-7, R-1-8, R-1-10,	—Nursery and greenhouse, provided that there is no retail sales;
R-1-15	—Pigeons, subject to health department regulations;
	—Residential health care facility for up to five residents on streets less than eighty feet in width, and up to ten residents on streets eighty feet and wider, excluding the facility operator and his/her related family with a maximum of one nonresident part-time relief employee on the premises at any one time unless additional staffing is required by the Utah Department of Health, which use shall not change the residential appearance and character of the property;
	—Sportsman's kennel with a minimum lot area of one acre.
R-1-21, R-1-43	<u>—Animals and fowl for family food production;</u>
	—Bed and breakfast homestay;
	—Nursery and greenhouse; provided, that there is no retail sales;
	—Pigeons, subject to health department regulations;

	—Residential health care facility for up to five residents on streets less than eighty feet in width, and up to ten residents on streets eighty feet and wider, excluding the facility operator and his/her related family with a maximum of one nonresident part-time relief employee on the premises at any one time unless additional staffing is required by the Utah Department of Health, which use shall not change the residential appearance and character of the property;
	—Sportsman's kennel with a minimum lot area of one acre.

SECTION V. 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 \_\_\_\_\_, 2013.

SALT LAKE COUNTY COUNCIL

By: \_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Sherrie Swensen  
Salt Lake County Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Date \_\_\_\_\_

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

Vetoed and dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

By: \_\_\_\_\_  
MAYOR BEN MCADAMS  
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 \_\_\_\_\_, 2013, the County Council of Salt Lake County adopted Ordinance No. \_\_\_\_\_, which amends sections 19.04.235, 19.14.020, and 19.14.030 of the Salt Lake County Code of Ordinances, 2001, regarding the definition of family food production and by making family food production a conditional use in the R-1-21 and R-1-43 zones and making other related changes.

SALT LAKE COUNTY COUNCIL

By: \_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Sherrie Swensen  
Salt Lake County Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Date \_\_\_\_\_

Councilman Bradley voting	_____
Councilman Burdick voting	_____
Councilman Bradshaw voting	_____
Councilman DeBry voting	_____
Councilman Horiuchi voting	_____
Councilman Granato 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.