



EMIGRATION CANYON
METRO TOWNSHIP

Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

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<https://msd.utah.gov/msd-home/pds/>

Emigration Canyon Planning Commission

Public Meeting Agenda

Thursday, July 14, 2022 8:30 A.M.

Pursuant to Utah Code Ann. § 52-4-207(5), Andy Wallace has determined in his capacity as Chair of the Emigration Canyon Planning Commission that this meeting and/or public hearing will be held electronically without an anchor location given the ongoing Coronavirus disease 2019 (COVID-19) pandemic, which the Chair has determined to present a substantial risk to the health and safety of those who may be present at an anchor location. To participate in the meeting and to make public comments where indicated in the agenda, please use the below webinar instructions.

Location

Join meeting in WebEx

Meeting number (access code): 961 841 420

<https://slco.webex.com/join/wgurr>

Join meeting in WebEx (download available at <https://www.webex.com/downloads.html> for Windows, Android, and Apple devices)

Tap to join from a mobile device (attendees only)

[+1-213-306-3065](tel:+12133063065),[961841420##](tel:+16026660783) United States Toll (Los Angeles)

[+1-602-666-0783](tel:+16026660783),[961841420##](tel:+16026660783) United States Toll (Phoenix)

Join by phone

+1-213-306-3065 United States Toll (Los Angeles)

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Access code: 961 841 420

[Global call-in numbers](#)

Join from a video conferencing system or application

Dial wgurr@slco.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Need help? Go to <http://help.webex.com>

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

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and MSD 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, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

BUSINESS MEETING

- 1) Approval of the June 16, 2022 Planning Commission Meeting Minutes. (Motion/Voting)
- 2) Other Business Items. (As needed)

PUBLIC HEARING(S)

OAM2022-000601 (Continued from June 16, 2022) - An Ordinance amending the Emigration Canyon Land Use Code, Foothill Canyons Overlay Zone (FCOZ), Section 19.72.130, “Stream Corridor and Wetlands Protection.” The proposed amendment will amend the Perennial Stream Corridor Setback for Buildings, accessory structures, and parking lots from 100’ to 50’ measured from the ordinary high-water mark. The proposed amendment will eliminate setback requirements for on-site wastewater disposal systems, which are regulated by Salt Lake County Health Department. **Planner:** Jim Nakamura (Motion/Voting)

ADJOURN

Rules of Conduct for Planning Commission Meetings

PROCEDURE FOR PUBLIC COMMENT

1. Any person or entity may appear in person or be represented by an authorized agent at any meeting of the Commission.
2. Unless altered by the Chair, the order of the procedure on an application shall be:
 - a. The supporting agency staff will introduce the application, including staff's recommendations and a summary of pertinent written comments and reports concerning the application
 - b. The applicant will be allowed up to 15 minutes to make their presentation.
 - c. The Community Council representative can present their comments as applicable.
 - d. Where applicable, persons in favor of, or not opposed to, the application will be invited to speak.
 - e. Where applicable, persons opposing the application, in whole or in part will be invited to speak.
 - f. Where applicable, the applicant will be allowed 5 minutes to provide concluding statements.
 - g. Surrebuttals may be allowed at the discretion of the Chair.

CONDUCT FOR APPLICANTS AND THE PUBLIC

1. Speakers will be called to the podium by the Chair.
2. Each speaker, before talking, shall give his or her name and address.
3. All comments should be directed to the Commissioners, not to the staff or to members of the audience.
4. For items where there are several people wishing to speak, the Chair may impose a time limit, usually 3 minutes per person, or 5 minutes for a group spokesperson. If a time limit is imposed on any member or spokesperson of the public, then the same time limit is imposed on other members or spokespersons of the public, respectively.
5. Unless otherwise allowed by the Chair, no questions shall be asked by the speaker or Commission Members.
6. Only one speaker is permitted before the Commission at a time.
7. The discussion must be confined to essential points stated in the application bearing on the desirability or undesirability of the application.
8. The Chair may cease any presentation or information that has already been presented and acknowledge that it has been noted in the public record.
9. No personal attacks shall be indulged in by either side, and such action shall be sufficient cause for stopping the speaker from proceeding.
10. No applause or public outbursts shall be permitted.
11. The Chair or supporting agency staff may request police support to remove offending individuals who refuse to abide by these rules.
12. After the public comment portion of a meeting or hearing has concluded, the discussion will be limited to the Planning Commission and Staff.

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MEETING MINUTE SUMMARY EMIGRATION CANYON PLANNING COMMISSION MEETING Thursday, June 16, 2022 8:30 a.m.

Approximate meeting length: 1 hour 10 minutes

Number of public in attendance: 0

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Wallace

***NOTE:** Staff Reports referenced in this document can be found on the State website, or from Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Andrew Wallace (Chair)	x	x	
Alex Pacanowsky			x
Jim Karkut	x	x	
Dale Berreth	x	x	
Tim Harpst (Vice Chair)	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Jim Nakamura	x	x
Matt Starley	x	x
Lilian Taft		
Adam Long	x	x

BUSINESS MEETING

Meeting began at – 8:31 a.m.

- 1) Approval of the May 12, 2022 Planning Commission Meeting Minutes. (Motion/Voting)
Motion: To approve May 12, 2022 Planning Commission Meeting Minutes as presented.

Motion by: Commissioner Harpst

2nd by: Commissioner Karkut

Vote: Commissioners voted unanimous in favor (of commissioners present)

- 2) Dark Skies Ordinance Working Update. **Planner(s):** Jim Nakamura/Matt Starley

Mr. Starley provided a PowerPoint presentation of the Dark Sky Ordinance Draft.

Commissioners and Staff had a brief discussion regarding non-conforming uses, use providing information, rather than providing assistance. Indoor lighting regulations, use intrusion rather than trespass as a violation of a vested property right. Legal should review the term “trespassing”.

Commercial properties should consider removing “Unshielded”, as that would be used for large parking lots.

Include permanent tower for municipal fire or police radio towers or phone company towers to come in and put up a tower with heavy lighting with FAA.

Commissioner Harpst said would like the time flushed out before first draft sent out. Definitions, the more the better. Approval process for applications, should be put into a position as much as possible is review and approved at an administrative level. Will there be requirements in existing lighting coming into compliance. Not have indoor lighting discussion until the ordinance is further along. Evaluate the content of drafts against dark skies internationals.

Commissioner Karkut said agrees with Mr. Harpst to the degree being precise with terms and rule out uncertainty, and who makes technical evaluations. Be precise about enforcement and using exceptions and variances. Likes the idea and the concept may allow lighting going forward not in compliance. Mulling things over and touching base with others and working on the draft before review and take the time to review moving forward and be part of this and works.

3) Other Business Items. (As needed)

No other business items to discuss.

PUBLIC HEARING(S)

OAM2022-000601 – An Ordinance amending the Emigration Canyon Land Use Code, Foothill Canyons Overlay Zone (FCOZ), Section 19.72.130, “Stream Corridor and Wetlands Protection.” The proposed amendment will amend the Perennial Stream Corridor Setback for Buildings, accessory structures, and parking lots from 100’ to 50’ measured from the ordinary high-water mark. The proposed amendment will eliminate setback requirements for on-site wastewater disposal systems, which are regulated by Salt Lake County Health Department. **Planner:** Jim Nakamura (Motion/Voting)

Greater Salt Lake Municipal Services District Planner Jim Nakamura provided an analysis of the staff report.

Commissioners and Staff had a brief discussion regarding Mayor Smolka request regarding citizens restriction and the 100’ have caused problems, perennial stream definition, Emigration stream issues different from other streams and studies done and to be done.

Commissioners are concerned with the lack of input and response from EID and the Health Department and think should be continued until the July meeting. Consideration needs to be completed, nothing wrong with more protection.

Commissioner Wallace motioned to open the public hearing.

PUBLIC PORTION OF HEARING OPENED

No one from the public present to speak.

PUBLIC PORTION OF HEARING CLOSED

Motion: To continue file #OAM2022-000601 to the July 14th Emigration Canyon Planning Commission with regards to an Ordinance amending the Emigration Canyon Land Use Code, Foothill Canyons Overlay

Zone (FCOZ), Section 19.72.130, “Stream Corridor and Wetlands Protection.” The proposed amendment will amend the Perennial Stream Corridor Setback for Buildings, accessory structures, and parking lots from 100’ to 50’ measured from the ordinary high-water mark. The proposed amendment will eliminate setback requirements for on-site wastewater disposal systems, which are regulated by Salt Lake County Health Department to allow Emigrations Canyon Improvement District and Salt Lake County Health Department an opportunity to submit comments regarding the proposed ordinance amendment.

Motion by: Commissioner Wallace

2nd by: Commissioner Karkut

Vote: Commissioners voted unanimous in favor (of commissioners present)

Commissioner Wallace adjourn.

MEETING ADJOURNED

Time Adjourned – 9:41 a.m.

DRAFT