## EMIGRATION CANYON

# Emigration Canyon Planning Commission 

## Public Meeting Agenda

## Thursday, June 15, 2023 8:30 A.M.

## Location

Join meeting in WebEx
Meeting number (access code): 961841420
https://slco.webex.com/meet/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,,961841420\#\# United States Toll (Los Angeles)
+1-602-666-0783,,961841420\#\# United States Toll (Phoenix)
Join by phone
+1-213-306-3065 United States Toll (Los Angeles)
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Access code: 961841420
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
Anchor Location Emigration Canyon Fire Station 5025 Emigration Canyon Road
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 January 26, February 16, and May 11, 2023 Planning Commission Meeting Minutes. (Motion/Voting)
2) Other Business Items. (As needed)

## LAND USE APPLICATION(S)

CUP2023-000837 - Gregory Palis is requesting a Waiver of Slope Protection for a lot of record located in the Little Mountain Subdivision \#2. The proposed development is for a garage on

Slopes between 30\% and 40\%. Total Acreage: . 5 acres. Location: 6771 East Emigration Canyon Road. Zone: FR-0.5. Planner: Morgan Julian (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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Planning and Development Services
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Phone: (385) 468-6700 • Fax: (385) 468-6674

EMIGRATION CANYON
METROTOWNSHIP

## MEETING MINUTE SUMMARY EMIGRATION PLANNING COMMISSION MEETING Thursday, January 26, 2023 12:00 p.m.

Approximate meeting length: 2 hours 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 <br> Mtg | Business <br> Mtg | Absent |
| :---: | :---: | :---: | :---: |
| Andrew Wallace (Chair) |  | $\mathbf{x}$ |  |
| Alex Pacanowsky |  |  | $\mathbf{x}$ |
| Jim Karkut |  | $\mathbf{x}$ |  |
| Dale Berreth |  | $\mathbf{x}$ |  |
| Tim Harpst (Vice Chair) |  | $\mathbf{x}$ |  |
| Jodi Geroux |  | $\mathbf{x}$ |  |


| Planning Staff / DA | Public <br> Mtg | Business <br> $\mathbf{M t g}$ |
| :---: | :---: | :---: |
| Wendy Gurr |  | $\mathbf{x}$ |
| Jim Nakamura |  | $\mathbf{x}$ |
| Curtis Woodward |  | $\mathbf{x}$ |
| Matt Starley |  | $\mathbf{x}$ |
| Kayla Mauldin |  |  |
| Brian Tucker |  |  |
| Adam Long |  |  |

## BUSINESS MEETING

## Meeting began at - 12:04 p.m.

1) Commissioners and Planning staff will review and discuss comments and suggestions made toward Dark Sky Ordinance Language and Graphics. Planner: Matt Starley.

Mr. Starley introduced the Salt Lake City rezone. Commissioners and staff had a brief discussion regarding sending a letter directly from the planning commission, change 595 homes to 661 homes. Add in Mr. Nakamura drawings to setback and slope. Commissioner Wallace and Commissioner Geroux will get together to finalize the letter.

Mr. Starley provided phases reviewed August forward, discussed upcoming code update and adoption, changes made and difficulty identifying the changes.

Mr. Starley expressed thanks to updates, changes added as a comment. Three different copies of the document with changes from different individuals.

Commissioners and staff had a brief discussion regarding non-conforming uses and five years to
comply, motion activated disturbances, multi-family homes allowing more foot candles than singlefamily homes including duplexes, temporary exterior lighting, prohibited lighting and timeframe of 30 to 45 days for holiday and seasonal lighting, 10 pm curfew and 10 percent shielded lighting, stationary and no moving lights in addition to or consistent with the sign code, unshielded lighting and trespassing, illumination turned off within one hour after and businesses close, light source, fully shielded fixtures, spill and affect, deflection, light source visibility outside the property boundary and diffuser, fully shielded light accessories, and confirmed measuring lumens.
2) Other Business Items. (As needed)

Confirmed the next meeting dates.

## MEETING ADJOURNED

Time Adjourned - 2:14 p.m.


## EMIGRATION CANYON

Municipal Service District Planning and Development Services
2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050
Phone: (385) 468-6700 • Fax: (385) 468-6674
msd.utah.gov

# Waiver of Slope Protection for Lot of Record 

Public Body: Emigration Canyon Metro Township Planning Commission
Meeting Date: 6/15/2023
Parcel ID: 10273510260000
Current Zone: FR-0.5
Property Address: 6771 EMIGRATION CANYON RD
Request: Waiver of Slope Protection for a lot of record
Applicant Name: Gregory Palis

MSD Planner: Morgan Julian
MSD Planning Staff Recommendation: Approval

## SITE \& ZONE DESCRIPTION

The property in question is located just southwest of Pinecrest Canyon in Little Mountain Subdivision 2. The property comprises of both lot 69 and 70 of this subdivision. This subdivision was legally established in 1910, before the Foothills and Canyons Overlay Zone Ordinance was created.

## PROJECT \& BACKGROUND DESCRIPTION

Gregory Palis would like to develop a two-story detached garage on his property (please see Exhibit A). The second story will be used for storage (please see Exhibit B). His current property has a previously graded area that was developed at the time the home was built in 1975 (please see Exhibit C). At the east end of his property, directly above the existing home, is also a previously graded area where the septic tank and septic field are located. Excluding where the existing home sits, the rest of the property consists of grades with over $30 \%$ slope and has a high concentration of vegetation.

## ISSUES OF CONCERN

The MSD Planning Staff has not found any significant concerns associated with this proposal.

## STANDARDS AND FINDINGS

Standard: 19.72.060 D.

1. The Planning Commission may only waive or modify the following slope protection standards as applied to development on lots of record and in subdivisions that were approved prior to the effective date of this Chapter:
a. Slope protection standards prohibiting development activities on slopes greater than thirty percent (30\%) as set forth above in 19.72.060.A or in ridge line protection areas, as set forth above in 19.72.060.B(2).
b. Limitations on the crossing of slopes greater than thirty percent (30\%) by any street, road, private access road or other vehicular route, as set forth in Subsection 19.72.080.
2. The Planning Commission may only waive or modify these standards upon satisfaction of the following criteria:
a. Strict compliance with the above slope protection standards
i. renders the site undevelopable;
ii. results in substantial economic hardship not created by the applicant or otherwise self-imposed; or
iii. results in a building location that requires excessive grading, vegetation removal, or driveway distances in conflict with the purposes of this Chapter and,
b. The development (and related development activities) substantially conforms to all other development, site design, and environmental standards of this Chapter and in all other applicable ordinances and codes.
3. In granting a waiver or modification from the slope and ridge line protection standards on lots of record, the Planning Commission may impose reasonable conditions to mitigate the impacts, if any, that the Planning Commission determines the proposed development has on adjacent properties and the surrounding environment.
4. Notwithstanding its discretion to grant waivers or modifications for lots of record from the slope protection standards set forth in this Chapter, in no case shall the Planning Commission permit development other than roads on slopes greater than forty percent (40\%).

## Findings:

MSD staff has determined that this proposed development will not be in a ridgeline protection area. Furthermore, the staff has found that this development complies with criteria 2.a.(iii) and 2.b. The proposed development is found to be in the most ideal spot on the property to maintain as much slope protection and vegetation as possible. The proposed development cannot be located to the east where slopes are less than $30 \%$ as that area is the location of the septic and leach field. The proposed location is in a previously disturbed area that will result in the least amount of new disturbance. Staff has analyzed the proposed site plan and found that the original grade was over $30 \%$, but not over $40 \%$. The development plan has been reviewed for compliance with all other sections of the Foothills and Canyons Overlay Zone (please see Exhibit D).

## PLANNING STAFF RECOMMENDATION

Based on the findings stated above, the MSD Planning Staff recommends that Emigration Metro Township grant approval for a Waiver of Slope Protection for a lot of record.

ATTACHMENTS:

1. Exhibit A (Site Plan)
2. Exhibit B (Floor Plan)
3. Exhibit C (Slope Analysis)
4. Exhibit D (Projected Original Grade)


## Exhibit B



FLOOR PLAN GENERAL NOTES:










FLOOR PLAN KEY NOTES:



MAIN FLOOR PLAN


LEFT ELEVATION
SCALE: 1/4"=1'-0"



FRONT ELEVATION
SCALE: $1 / 4^{\prime \prime}=1^{\prime}-0 "$


REAR ELEVATION



| SURFACE SLOPE DATA |  |  |  |
| :---: | :---: | :---: | :---: |
| NUMBER | MINIMUM SLOPE | MAXIMUM SLOPE | COLOR |
| 1 | $1.000 \%$ | $40.000 \%$ |  |
| 2 | $40.000 \%$ | $62.000 \%$ |  |




Know whats below.
Exhibit D

IsEve AIEN:
Revsions:

