

Proposed Ordinance Amendment

SALT LAKE COUNTY COUNCIL

PUBLIC HEARING

APRIL 5, 2022

Background

- County has been engaged in the process of assessing and considering amendments to the Forestry and Recreation (FR).
- Recent Notices of Intention to begin mining operations with the Utah Division of Oil, Gas, and Mining, raised the question of whether mineral extraction and processing should continue to be a conditional use in the FR zone.
- On December 10, 2021, the Salt Lake County Council voted to formally initiate proceedings to amend the County Code.
- The Mountainous Planning District & Salt Lake County Planning Commissions recommended approval of the code amendments.

Proposed Code Amendments

- Eliminate mineral extraction and processing as a conditional use and explicitly prohibits the same in the Forestry and Recreation (FR) zone. (Section 19.12.030)
- Eliminates mineral extraction and processing as a use for which waivers can be granted in the Foothills and Canyon Overlay Zone (FCOZ). (Section 19.72.190)
- Provides clarification regarding how permitted and conditional uses are classified. (Section 19.76.030)

Public Notice (Utah Code 17-27a-205)

- Community Council Notice (12/17/2021)
The notice explained how Community Councils may submit comments and provide comments to the Planning Commission
- Public notice was mailed to affected entities (1/13/2022)
- Notice posted in three public locations and on the Utah Public Notice Website (>10 days prior to hearing)
- Public comments distributed to the Planning Commission and posted on the website
- Approximately 1,000 comments received – see no opposition

Purpose of Forestry & Recreation Zone

“The purpose of the forestry and recreation zones is to permit the development of the foothill and canyon areas of the county for forestry, recreation, and other specified uses to the extent such development is compatible with the protection of the natural and scenic resources of these areas for the continued benefit of future generations.” (SLC Code 19.12.010)

Purpose of the Foothills and Canyons Overlay Zone

“The general purpose of the foothills and canyons overlay zone is to promote safe, environmentally sensitive development that strikes a reasonable balance between the rights and long-term interests of property owners and those of the general public.”

(SLC Code 19.72.010)

Existing Uses Allowed

- Existing approved, permitted, and operational mineral extraction/processing would be legal nonconforming uses.

MPD Planning Commission Findings

- Mineral extraction is incompatible with the stated purposes of the Forestry and Recreation zone and the Foothills and Canyons Overlay Zone
- Adverse effects of mineral extraction in the Forestry and Recreation zone would include:
 - An increase in air and dust pollution
 - An increase in noise pollution
 - A threat to protected watersheds
 - Depletion of water supply
 - An increase in wildfire risk
 - An increased risk of avalanches and rockslides
 - An increase in traffic
 - Loss of wildlife habitat
 - Destruction of the landscape and ecology

MPD Planning Commission Findings

- The proposed ordinance changes are consistent with the following goals and strategies from the Wasatch General Plan:
 - Review and update County Ordinances, as needed, to further implement the vision, goals, and strategies of the General Plan
 - Ensure the management of watersheds in the Wasatch Canyons to protect water quality and quantity
 - Maintain and increase the conservation of natural lands that protect ecosystems and watersheds and provide recreational opportunities

Options and Recommendation

The County Council has three options:

1. Approve the ordinance as proposed
2. Approve the ordinance with amendments
3. Deny the proposed ordinance

The Planning Commissions and Staff recommend
Option #1: Approve the ordinance as proposed.

~End~