

SALT LAKE COUNTY ORDINANCE

ORDINANCE NO. _____, 2021

AN ORDINANCE OF THE SALT LAKE COUNTY COUNCIL AMENDING THE BOUNDARIES OF THE MOUNTAINOUS PLANNING DISTRICT (TO EXCLUDE THE TOWN OF BRIGHTON) AND AMENDING THE MEMBERSHIP REQUIREMENTS OF THE MOUNTAINOUS PLANNING DISTRICT PLANNING COMMISSION; 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. The boundaries of the Salt Lake County Mountainous Planning District are hereby amended (to exclude the Town of Brighton) in accordance with the attached map of the Mountainous Planning District, which shall be on file with the Salt Lake County Clerk, in accordance with Salt Lake County Ordinance Section 19.07.010(A).

SECTION III. Salt Lake County Ordinance Section 19.07.020 is hereby amended as follows.

19.07.020 - Mountainous planning district planning commission.

A. Creation.

1. There is hereby created a mountainous planning district, consisting of the area described in Section 19.07.010 of this chapter.
2. There is hereby established a mountainous planning district planning commission ("planning commission").

B. Powers and Duties. The planning commission shall have the following powers and duties:

1. Make and recommend to the county council a general plan and amendments to the general plan for the mountainous planning district;
2. Prepare and recommend to the county council land use ordinances and a zoning map and amendments thereto for the mountainous planning district;

3. Consider and recommend to the county council a subdivision ordinance and amendments thereto for areas within the mountainous planning district;
 4. Recommend proposed application processes and the appropriate delegation of power to at least one land use authority and at least one appeal authority as provided in Section 17-27a-302 of the Utah Code.
 5. Act as the land use authority as provided in Section 19.07.030;
 6. Advise the county council on matters that the county council directs;
 7. Provide other functions as specified in this chapter or as directed by the county council.
- C. Membership, Appointment, Terms, Removal, and Vacancies:
1. The planning commission shall initially be composed of nine members appointed by the mayor with the advice and consent of the county council. After June 30, 2017, the nine members of the planning commission shall be appointed as follows:
 - a. Five of the nine members of the planning commission, filling positions on the planning commission identified as MPD planning commission seats 1 through 5, shall be appointed by the mayor with the advice and consent of the county council.
 - b. Four of the nine members of the planning commission, filling positions on the planning commission identified as MPD planning commission seats A through D, shall be appointed as provided in Subsection (C)(2) below.
 2. When there is a vacancy in one of the four planning commission seats designated in Subsection (C)(1)(b) of this section:
 - a. The mayor shall send a written request to the city associated in Subsection (C)(3) of this section with the vacant planning commission seat to provide a list of no less than two but no more than three individuals [~~who satisfy the requirements of Section 17-27a-301(1)(e)(iii)~~] to fill the vacancy.
 - b. The notified city shall respond to the written request within sixty days after the day on which the city receives the written request.
 - c. After the mayor receives the notified city's list of no less than two but no more than three individuals, the mayor shall select one individual from the list to be appointed with the advice and consent of the county council to fill the vacancy.
 - d. If the notified city fails to timely respond to the written request, the mayor may proceed to appoint any individual to fill the vacancy as provided in Subsection (C)(1)(a) of this section.
 3. The following cities [~~meet the requirements of Section 17-27a-301(7)(b) and~~] are hereby designated to be notified of any vacancy occurring in the planning commission seats identified in Subsection (C)(1)(b) above as follows:
 - a. Salt Lake City - MPD planning commission seat A.
 - b. Millcreek - MPD planning commission seat B.
 - c. Cottonwood Heights - MPD planning commission seat C.
 - d. Sandy City - MPD planning commission seat D.

4. The mayor, with the advice and consent of the county council may also appoint up to two alternate members of the planning commission, filling positions on the planning commission identified as MPD alternate 1 and MPD alternate 2. Alternate members must meet the qualifications ~~as~~ of the other planning commission members.
5. All members of the planning commission shall serve a term of three years, except that in the case of the first planning commission appointed under the provisions of this section, three members shall be appointed for an initial term of one year, three members shall be appointed for an initial term of two years, and the remaining three members shall be appointed to serve a full three-year term. Any alternate members of the planning commission shall be appointed to serve a term of four years. In the event a term of a member shall expire without a successor having been appointed, the member shall continue to serve until a successor has been appointed and the term of the successor shall terminate on the same day as though the successor was appointed in a timely manner. Any vacancy created during the term of a member shall be filled for only the remainder of the unexpired portion of that term. No member shall serve more than two consecutive full terms.
6. The planning commission shall elect a chair and vice chair from among its members to sit for one year terms and may, by majority vote, adopt rules regarding its activities, which rules may not be in conflict with the Land Use, Management and Development Act, Utah Code Ann. §17-27a-101 et. seq., or this chapter. The chair shall be considered for purposes of establishing a quorum and shall act as a voting member.
7. Except as provided in Subsection (C)(2) of this section, any vacancy occurring on the planning commission by reason of death, resignation, removal or disqualification shall be filled by the mayor with the advice and consent of the county council for the unexpired term of such member.
8. The mayor with advice and consent of the county council may remove for cause any member of the planning commission upon the filing of written charges against the member and after a public hearing on the charges conducted by a hearing officer appointed by the mayor if requested by the member.
9. Quorum: No meeting of the planning commission shall be official or of any effect except when a quorum of the members are present. Five members of the planning commission shall constitute a quorum. All actions shall require the concurring vote of a majority of the members present, unless stricter voting procedures are established by the planning commission.

D. Qualifications for Membership:

1. Planning commission members must be registered voters who reside either in the unincorporated or incorporated areas of Salt Lake County.
2. ~~[At least one]~~ Two planning commission members shall reside within any of the following: the mountainous planning district, the town of Brighton, and/or the town of Alta. ~~[and another planning commission member shall either reside or own property within the mountainous planning district.]~~
3. One planning commission member shall reside west of Interstate 15 within any municipality.

4. Four planning commission members shall reside in the cities identified in subsection (C)(3).

[3].5. The remaining [P]planning commission members shall represent areas located in the unincorporated and incorporated county. In appointing planning commission members, the mayor and county council shall endeavor to provide as much geographically balanced representation as is practicable.

E. Jurisdiction: The planning commission shall have jurisdiction regarding all pending and future planning and zoning matters and proceedings within the mountainous planning district area~~[, including areas of the mountainous planning district that are also located within a municipality or are unincorporated].~~

F. Meetings:

1. The planning commission shall establish a regular meeting schedule.

2. The planning commission must comply with Title 52, Chapter 4, Open and Public Meetings Act.

~~[G.—Reporting: The planning commission shall submit a report that summarizes actions it has taken and any recommendations regarding the mountainous planning district to the Utah State Legislature's Natural Resources, Agriculture, and Environment Interim Committee by no later than November 30 of each year as required by Section 17-27a-901(3) of the Utah Code, as amended.]~~

SECTION IV. This ordinance shall become effective fifteen 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 _____ 2021.

SALT LAKE COUNTY COUNCIL

By: _____
Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

ORDINANCE HISTORY

Councilmember Bradley voting _____
Councilmember Bradshaw voting _____
Councilmember Theodore voting _____
Councilmember DeBry voting _____
Councilmember Granato voting _____
Councilmember Winder Newton voting _____
Councilmember Alvord voting _____
Councilmember Snelgrove voting _____
Councilmember Stringham voting _____

Vetoed and dated this _____ day of _____, 2021.

By: _____
MAYOR JENNIFER WILSON
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 _____ 2021, the County Council of Salt Lake County adopted Ordinance No. _____, an ordinance of general revision, amending the boundaries of the Mountainous Planning District (to exclude the Town of Brighton) and amending the membership requirements of the Mountainous Planning District Planning Commission; and making other related changes

SALT LAKE COUNTY COUNCIL

By: _____
Chair

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Councilmember Bradley voting	_____
Councilmember Bradshaw voting	_____
Councilmember Theodore voting	_____
Councilmember DeBry voting	_____
Councilmember Granato voting	_____
Councilmember Winder Newton voting	_____
Councilmember Alvord voting	_____
Councilmember Snelgrove voting	_____
Councilmember Stringham voting	_____

A complete copy of Ordinance No. _____ is available in the office of the Salt Lake County Clerk, 2001 South State Street, N2-100A, Salt Lake City, Utah.