

1. 19.72.090.A – FCOZ Pg. 15, lines 580-582 Trails plans that do not exist are referenced in the ordinance.

Current Code:

“For the purpose of providing trails necessary for public access to public lands or trails shown on the county general plans, the Salt Lake County regional trail plan, the Salt Lake County trail access plan, or applicable community general plans, all development in the foothills and canyons overlay zone shall be required to offer a dedication of an amount of land that is roughly proportional to the demand for open space, recreational facilities, trails, or public access to public lands or trails generated by the proposed development.”

Draft Revised FCOZ:

“All proposed development in the Foothills and Canyons Overlay Zone shall be platted consistent with County general plans regarding trails, including the Salt Lake County Regional Trail Plan and the Salt Lake County Trail Access Plan.”

Planning Commissions:

No recommendation

Potential Actions:

1. Amend the draft to read, “All proposed development in the Foothills and Canyons Overlay Zone shall be platted consistent with County general plans regarding trails, including those portions of the adopted Salt Lake County Parks and Recreation Master Plan that address trails and trail access locations.”

2. 19.72.130.D(3) – FCOZ Pg. 21, lines 903-905 Ephemeral Stream setbacks for leach fields must be 100’ per County and State Health regulations

Current Code:

“The preceding notwithstanding, development within Salt Lake City’s watershed areas, as delineated on maps incorporated by reference in Section 19.72.020(B)(2) of this chapter and on file with the Salt Lake County planning and development services division, shall in no instance be permitted closer than fifty feet of the channel of an ephemeral stream, as defined by its ordinary high water mark.”

Draft Revised FCOZ:

“All buildings, accessory structures, leach fields, and parking areas or lots shall be set back at least fifty (50) feet from the channel of an ephemeral stream, as defined by its ordinary high water mark.”

Planning Commissions:

No specific recommendation, as this issue was raised after the planning commission review.

Potential Actions:

1. Amend the draft to read, “All buildings, accessory structures, and parking areas or lots shall be set back at least fifty (50) feet from the channel of an ephemeral stream, as defined by its ordinary high water mark. Leach fields shall be set back as set forth in the Health Code.”
2. Amend the draft to read, “Leach fields shall be set back 100 feet from the channel of an ephemeral stream. All buildings, accessory structures, and parking areas or parking lots shall be set back at least 50 feet from the channel of an ephemeral stream.”

3. 19.72.040.A – FCOZ Pg. 5 – lines 230-231 clarify that MRZ may have exemptions to certain FCOZ regulations

<u>Current Code:</u> N/A, since MRZ does not exist in current code	<u>Draft Revised FCOZ:</u> States, "Conflicts. Unless specifically exempted or modified by the underlying zone, all development shall comply with the standards of this Chapter."	<u>MPD Planning Commission:</u> Recommends, "Conflicts. Unless specifically exempted or modified by the underlying zone, <u>such as a Mountain Resort Zone</u> , all development shall comply with the standards of this Chapter."	<u>County Planning Commission:</u> Same recommendation as MPD PC	<u>Mayor Recommendation:</u> No specific recommendation
Potential Actions: <ol style="list-style-type: none"> 1. Approve the draft with no change 2. Amend the draft as recommended by the MPD Planning Commission. 3. Other... 				

4. 19.72.200 "Undevelopable" – FCOZ Pg. 45, lines 1511-1513 Adding a definition for "undevelopable"				
<u>Current Code:</u> Not defined	<u>Draft Revised FCOZ:</u> Not defined	<u>MPD Planning Commission:</u> "Undevelopable means that strict application of this title prevents the minimum development necessary to establish a permitted or conditional use in the underlying zone on the property."	<u>County Planning Commission:</u> "Undevelopable means that strict application of this title prevents the minimum development necessary to establish a permitted or conditional use in the underlying zone on the property."	<u>Mayor Recommendation:</u> No specific recommendation
Potential Actions: <ol style="list-style-type: none"> 1. Approve the draft (with no definition of "undevelopable") 2. Amend the draft as recommended by the planning commissions 3. Other... 				

5. 19.72.100.C – FCOZ Pg. 15, lines 622-625 Should properties abutting the main road be allowed privacy fences?				
<u>Current Code:</u> "Fences in the front yards and along roadways shall not exceed forty-two inches in height."	<u>Draft Revised FCOZ:</u> "Fences in front yards and along roadways may not exceed forty-two (42) inches in height, <u>except that residential buildings with frontage on a main canyon</u>	<u>MPD Planning Commission:</u> "Fences in the front yards and along roadways shall not exceed forty-two inches in height."	<u>County Planning Commission:</u> "Fences in the front yards and along roadways shall not exceed forty-two inches in height."	<u>Mayor Recommendation:</u> No specific recommendation

	road may be screened for privacy with a 6 foot tall visual barrier fence, provided the materials and colors comply with section W of Table 19.72.1.”			
Potential Actions: <ol style="list-style-type: none"> 1. Approve the draft with no change. 2. Amend the draft as recommended by the planning commissions 3. Other... 				

6: 19.13.050.B and 19.13.060.B – MRZ Pg. 8, lines 379-380 and Pg. 10, lines 611-612 Add notification of Forest Service to Area Plan and Village Development Plan review		
<u>Current Draft:</u> (19.13.050(B)): An application for approval of an Area Plan shall be filed in conjunction with an application to rezone the property in the Area Plan to a Mountain Resort Zone. The application shall be made on a form provided by the Director and shall include a legal description of the property, a list of names and mailing addresses of all adjacent property owners and written consent of owners of all property to be included in the Area Plan, or their agents or authorized representatives. The application shall be accompanied by submittal requirements outlined in subsection D(2) of this section and an Area Plan as outlined in subsection C of this section. (19.13.060(B)): A Development Plan shall be in the form of a development agreement. If the Development Plan contains any deviations from FCOZ design standards in section 19.72.170, the applicant shall identify those deviations in the Development Plan, and the planning commission has the authority to determine whether to approve, approve with modification, or deny the development agreement in accordance with subsection (C) below. The Mayor shall sign the	<u>MPD Planning Commission:</u> Add the following sentence to the end of the paragraph 19.13.050(B) and to 19.13.060(B): <u>“Notification of the application shall be provided to the U.S. Forest Service.”</u>	<u>County Planning Commission:</u> As recommended by the MPD Planning Commission

approved Development Plan.		
Potential Actions: <ol style="list-style-type: none"> 1. Approve the draft with no change 2. Amend the draft as recommended by the MPD Planning Commission 		

7: 19.13.050.E(4) and 19.13.060.C(2) – MRZ Pg. 9, lines 474-475 and Pg. 11, lines 557-558 Include “environmental dashboard” data in Area Plan and Development Plan process		
Current Draft: 19.13.050(E)(4) states, “ Protection of the natural setting. Uses, activity, and density that are consistent with protecting the natural setting in which the property is located.”	MPD Planning Commission: Amend 19.13.050(E)(4) to read, “ Protection of the natural setting. Uses, activity, and density that are consistent with protecting the natural setting in which the property is located, <u>based on the current environmental data available to Salt Lake County.</u> ” Also, amend 19.13.060(C)(2) to add, “ <u>e. In assessing the impacts of the proposed development plan, has consideration been given to the current environmental data available to Salt Lake County?</u> ”	County Planning Commission: As recommended by the MPD Planning Commission
Potential Actions: <ol style="list-style-type: none"> 1. Approve the draft with no change 2. Amend the draft as recommended by the MPD Planning Commission 		

8: 19.13.090 – MRZ Pg. 20, lines 1022-1023 Amend the definition of “outdoor recreation equipment”		
Current Draft: “Outdoor Recreation Equipment Playground equipment and accessory park related amenities, such as swing sets, slides, jungle gyms, sand boxes, picnic tables, volleyball nets, baseball backstops, basketball standards, soccer goals, and similar amenities.”	MPD Planning Commission: “Outdoor Recreation Equipment Playground equipment and accessory park related amenities, such as swing sets, slides, jungle gyms, sand boxes, picnic tables, and similar amenities.” <u>(removing volleyball nets, baseball backstops, basketball standards, soccer goals)</u>	County Planning Commission: As recommended by the MPD Planning Commission
Potential Actions: <ol style="list-style-type: none"> 1. Approve the draft with no change 2. Amend the draft as recommended by the MPD Planning Commission 		

9: 19.13.060(C) - MRZ Pg. 11, lines 676-677 and 683-688 Address parking and traffic congestion concerns in the MRZ village development plan.

<p><u>Current Draft:</u> 19.13.060(C)(6) and (7) read: “6. Access and Circulation. Does the proposed development provide adequate access and circulation? 7. Site grading and snow removal. Do buildings and site grading provide simple, at-grade entrances and minimize extensive grade-changes along building exteriors? Is adequate snow storage accommodated?”</p>	<p><u>MPD Planning Commission:</u> Amend 19.13.060(C)(6) and (7) to read: “6. Access and Circulation. Does the proposed development provide adequate access and circulation? <u>Are traffic congestion mitigation techniques included as part of the Development Plan?</u> 7. Site grading and snow removal. Do buildings and site grading provide simple, at-grade entrances and minimize extensive grade-changes along building exteriors? Is adequate snow storage accommodated? <u>8. Parking. Have the following issues been addressed? 1) The probable number of cars to be operated by those using the proposed development and the nature of the proposed uses; 2) the availability of public transit and other transportation facilities, including those for pedestrian access; 3) the commitment to utilize automobile disincentive techniques in the proposed development; and 4) the potential for joint use of common parking.”</u></p>	<p><u>County Planning Commission:</u> As recommended by the MPD Planning Commission</p>
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Potential Actions:

1. Approve the draft with no change
2. Amend the draft as recommended by the MPD Planning Commission
3. Other...

10. 19.72.020.D – FCOZ Pg. 2, lines 82-90 Should Salt Lake City’s extraterritorial jurisdiction be recognized in FCOZ? Should other watersheds be protected as well?

<p><u>Current Code:</u> “Salt Lake County recognizes that Salt Lake City has extraterritorial jurisdiction for protection of its</p>	<p><u>Draft Revised FCOZ:</u> “Salt Lake County recognizes that Salt Lake City has extraterritorial jurisdiction for protection of its</p>	<p><u>MPD Planning Commission:</u> Draft as written</p>	<p><u>County Planning Commission:</u> Amend section 19.72.020(D) to recognize the need to protect other watersheds</p>	<p><u>Mayor Recommendation:</u> No specific recommendation</p>
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<p>watershed located in the canyons east of Salt Lake City from City Creek Canyon south to Little Cottonwood Canyon. All development in the county that is also located within Salt Lake City's watershed areas shall be reviewed by Salt Lake City for compliance with the city's applicable watershed protection standards prior to county approval or final permitting."</p>	<p>watershed located in the canyons east of Salt Lake City from City Creek Canyon south to Little Cottonwood Canyon. All development in the County impacting surface water, wells, storage facilities, or aquifers located within Salt Lake City's watershed areas shall be referred to Salt Lake City's Division of Public Utilities to confirm compliance with the City's applicable ordinances and watershed protection standards. If Salt Lake City's confirmation is not received within the time prescribed by County Ordinance for processing applications, the Planning Commission or Director may approve the application subject to Salt Lake City's certification being received prior to a building permit being issued."</p>			
<p>Potential Actions:</p> <ol style="list-style-type: none"> 1. Approve the draft with no change 2. Amend the draft to read, "Salt Lake County recognizes that Salt Lake City has extraterritorial jurisdiction for protection of its watershed located in the canyons east of Salt Lake City from City Creek Canyon south to Little Cottonwood Canyon, <u>and that other water providers also have established protected watersheds in the canyons.</u> All development in the County impacting surface water, wells, storage facilities, or aquifers located within <u>protected</u> watershed areas shall be referred to <u>the water provider</u> to confirm compliance with applicable ordinances and watershed protection standards. If confirmation is not received within the time prescribed by County Ordinance for processing applications, the Planning Commission or Director may approve the application subject to confirmation being received prior to a building permit being issued." 3. Other... 				

development?				
<u>Current Code:</u> “To the maximum extent feasible, views both to the site and to features beyond, as seen from public rights-of-way, trails, and other public lands, shall be maintained.”	<u>Draft Revised FCOZ:</u> “A cluster development shall preserve the open sky backdrop above any ridgelines and, where possible, significant views of the natural landscape as viewed from adjacent streets.”	<u>MPD Planning Commission:</u> “A cluster development shall preserve the open sky backdrop above any ridgelines and, where possible, significant views of the natural landscape as viewed from adjacent streets and existing trails.”	<u>County Planning Commission:</u> “A cluster development shall preserve the open sky backdrop above any ridgelines and, where possible, significant views of the natural landscape.”	<u>Mayor Recommendation:</u> No specific recommendation
Potential Actions: <ol style="list-style-type: none"> 1. Approve the draft with no change 2. Amend the draft as recommended by the MPD Planning Commission 3. Amend the draft as recommended by the County Planning Commission 4. Other... 				

12. 19.72.200 “Significant Trees” – FCOZ Pg. 45, lines 1472-1473 6” caliper vs. 4” caliper trees.		
<u>Current Code:</u> Large trees of six-inch caliper or greater, groves of five or more smaller trees, or clumps of oak or maple covering an area of fifty square feet to the drip line perimeter.	<u>Draft Revised FCOZ:</u> <u>Live trees of four-inch</u> caliper or greater, groves of five or more smaller <u>live</u> trees, or clumps of <u>live</u> oak or maple covering an area of fifty square feet to the drip line perimeter.	<u>Planning Commissions:</u> No recommendation
Potential Actions: <ol style="list-style-type: none"> 1. Approve the draft with no change 2. Amend the draft to change “...four-inch caliper...” to “...six-inch caliper...” 		

13: 19.13.080 (also 19.13.010 and 19.13.040.D) - MRZ Pg. 1, lines 16, 28-29; Pg. 5, line 244; Pgs. 13-18 lines 696-932		
Remove the TDR section and all references to it from the MRZ		
<u>Current Draft:</u> (4 pages of TDR provisions)	<u>MPD Planning Commission:</u> Remove TDRs until such time as the issue can be further studies at the general plan level.	<u>County Planning Commission:</u> As recommended by the MPD Planning Commission
Potential Actions: <ol style="list-style-type: none"> 1. Approve the draft with no change 2. Amend the draft as recommended by the MPD Planning Commission 		

14: 19.13.030.C and 19.13.040.F -MRZ Pg. 2-3, lines 102, 109, 112, 117-118, 121, and 129; Pg. 6, lines 290, 300-307, 311

Amend the FCOZ Exceptions paragraphs 1 and 2 in MRZ recreation and MRZ village sections.

<u>Current Draft:</u> 1. The following uses in the MRZ-Village District are exempt from all requirements of Section 19.72.060 (Slope Protection and Development on Ridgelines), subject to reasonable conditions that may be imposed under subsection (2) below. 2. For the above uses, the Director (for permitted uses) and the planning commission (for conditional uses) may impose reasonable conditions to accomplish any or all of the following:	<u>MPD Planning Commission:</u> Change “may” to “ <u>shall, as necessary</u> ” in both sentences (paragraphs 1 and 2 of each subsection). Recommended changes as needed to be consistent with the revised permitted and conditional use list under paragraph 1. Also, recommended adding under paragraph 2, “ <u>f. Discourage unintended trespass onto adjoining land.</u> ”	<u>County Planning Commission:</u> Change “may” to “ <u>shall, as necessary</u> ” only in 19.13.030.C(2) and 19.13.040.F(2). Recommended changes as needed to be consistent with the revised permitted and conditional use list under paragraph 1. Also, recommended adding under paragraph 2, “ <u>f. Discourage unintended trespass onto adjoining land.</u> ”
<u>Potential Actions:</u> 1. Approve the draft with no change 2. Amend the draft as recommended by the MPD Planning Commission 3. Amend the draft as recommended by the County Planning Commission		

15: 19.13.030 – MRZ Pgs. 3-4, lines 158-163 Add a tree replacement section (F) for new or expanded ski runs

<u>Current Draft:</u> (Not included)	<u>MPD Planning Commission:</u> Add the following subsection: “F. <u>Tree Replacement.</u> <u>Any application for a new or expanded ski run that includes the removal of significant trees shall be accompanied by a forestry study prepared by a certified forester that includes mitigation measures to protect the overall health of the forest in harmony with the purpose and intent of section 19.72.110 of the Foothills and Canyons Overlay Zone. Conditions of approval may be imposed to mitigate the impacts of the removal of significant trees.</u> ”	<u>County Planning Commission:</u> As recommended by the MPD Planning Commission	<u>Mayor Recommendation:</u> No specific recommendation
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Potential Actions:

1. Approve the draft with no change
2. Amend the draft as recommended by the MPD Planning Commission

16: 19.13.050 – MRZ Pg. 10, lines 487-492 Add section (G) regarding Area Plan/MRZ boundary amendments

Current Draft:
(not included)

MPD Planning Commission:
Add the following subsection to 19.13.050:
“G. Plan Amendments
A previously approved MRZ Area Plan may be amended subject to the review procedures in subsection 19.13.050(D) to propose changes to any information contained in 19.13.050(C)(1) through (4) above, including to change the boundaries of the MRZ-village and the MRZ-recreation districts or to add land that has been acquired by the resort through land trade involving properties within Big or Little Cottonwood Canyons.”

County Planning Commission:
As recommended by the MPD Planning Commission

Potential Actions:

1. Approve the draft with no change
2. Amend the draft as recommended by the MPD Planning Commission

17: 19.13.040.A and 19.13.040.B – MRZ Pgs. 4-5, lines 169-229 Conditional and permitted uses in the MRZ village district

Current Draft:

A. Permitted Uses
Permitted uses in the MRZ-Village District are as follows:
--Accessory buildings and uses customarily incidental to permitted use
--Bed and breakfast homestay
--Bed and breakfast inn
--Boardinghouse
--Class B beer outlet
--Class C beer outlet
--Day care/preschool center
--Dwellings, one-, two-, three-, four-

MPD Planning Commission:

A. Permitted Uses
Permitted uses in the MRZ-Village District are as follows:
--Accessory buildings and uses customarily incidental to permitted use
--Bed and breakfast homestay
--Bed and breakfast inn
--Boardinghouse
--Class B beer outlet
--Class C beer outlet
--Day care/preschool center

County Planning Commission:

A. Permitted Uses
Permitted uses in the MRZ-Village District are as follows:
--Accessory buildings and uses customarily incidental to permitted use
--Bed and breakfast homestay
--Bed and breakfast inn
--Boardinghouse
--Class B beer outlet
--Class C beer outlet
--Day care/preschool center

Mayor Recommendation:

Approval as recommended by the MPD Planning Commission, with the following change to “natural resource based recreational facilities” as listed under B.
Conditional Uses:
--Natural resource based recreation, provided that:
1. The planning commission considers as part of a conditional use application all of the following:
a. The facility or activity does not

<p>family</p> <p>--Home day care/preschool for six or fewer children</p> <p>--Living quarters for persons employed on the premises of any principal use</p> <p>--Lodginghouse</p> <p>--Minor ski or mountain resort improvements</p> <p>--Mountain resorts, including the following:</p> <ul style="list-style-type: none"> --Recreational outdoor and trail lighting --Passenger ski and tramway station and ski base facility --Ski tow rope, ski lift, ski tram, ski run, and ski bridge --Recreational sports field --Skating rink --Skateboard park --Outdoor event, outdoor music --Resort support, commercial --Zip line --Ropes course --Mountain bike terrain park and trails --Frisbee golf course <p>--Office incidental to main use</p> <p>--Outdoor recreation equipment</p> <p>--Package agency</p> <p>--Parking area or structure with 10 or fewer spaces</p> <p>--Public and quasi-public use structure</p> <p>--Residential facility for elderly persons</p> <p>--Residential facility for persons with a disability</p> <p>--Restaurant, excluding drive-through</p> <p>--Restaurant liquor license</p> <p>--Retail goods establishment</p> <p>--Short-term dwelling rental</p>	<p>--Dwellings, one-, two-, three-, four-family</p> <p>--Home day care/preschool for six or fewer children</p> <p>--Living quarters for persons employed on the premises of any principal use</p> <p>--Lodginghouse</p> <p>--Minor ski or mountain resort improvements</p> <p>--Mountain resorts, including the following:</p> <ul style="list-style-type: none"> --Recreational outdoor and trail lighting --Passenger ski and tramway station and ski base facility --Ski tow rope, ski lift, ski tram, ski run --Skateboard park --Outdoor event, outdoor music --Resort support, commercial --Ropes course --Mountain bike trails --Frisbee golf course --Office incidental to main use --Package agency --Parking area or structure with 10 or fewer spaces --Public and quasi-public use structure --Residential facility for elderly persons --Residential facility for persons with a disability --Restaurant, excluding drive-through --Restaurant liquor license --Retail goods establishment --Short-term dwelling rental --State store 	<p>--Dwellings, one-, two-, three-, four-family</p> <p>--Home day care/preschool for six or fewer children</p> <p>--Living quarters for persons employed on the premises of any principal use</p> <p>--Lodginghouse</p> <p>--Minor ski or mountain resort improvements</p> <p>--Mountain resorts, including the following:</p> <ul style="list-style-type: none"> --Recreational outdoor and trail lighting --Passenger ski and tramway station and ski base facility --Ski tow rope, ski lift, ski tram, ski run --Skateboard park --Outdoor event, outdoor music --Resort support, commercial --Ropes course --Mountain bike trails --Frisbee golf course --Office incidental to main use --Package agency --Parking area or structure with 10 or fewer spaces --Public and quasi-public use structure --Residential facility for elderly persons --Residential facility for persons with a disability --Restaurant, excluding drive-through --Restaurant liquor license --Retail goods establishment --Short-term dwelling rental --State store --Trail and trailhead improvement 	<p><u>change the primary purpose of the mountain resort to other than snow sports;</u></p> <p><u>b. The facility or activity encourages outdoor recreation and enjoyment of nature;</u></p> <p><u>c. To the extent practicable, the facility or activity is located within the portions of the ski area that are developed or that will be developed pursuant to the Area Plan;</u></p> <p><u>d. The facility or activity is consistent with the zoning established in the Area Plan;</u></p> <p><u>e. To the extent practicable, the facility or activity harmonizes with the natural environment of the site in which it is located by:</u></p> <ul style="list-style-type: none"> <u>i. Being visually consistent with or subordinate to the mountain resort's existing facilities, vegetation and landscape; and</u> <u>ii. Not requiring significant modifications to topography to facilitate construction or operations, and;</u> <p><u>f. The facility or activity does not require extensive new support facilities, such as parking lots, restaurants, and lifts.</u></p> <p><u>2. Facilities and activities may include, subject to the factors in subsection (C) below, zip lines, ropes courses, alpine slides and mountain coasters. Unless expressly allowed in this chapter, facilities may not include water slides, water parks, and amusement parks.</u></p> <p><u>3. In determining if a proposed use qualifies as a natural resource based</u></p>
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--State store --Trail and trailhead improvement --Temporary construction improvement B. Conditional Uses Conditional uses in the MRZ-Village District are as follows: --Accessory buildings and uses customarily incidental to conditional use --Dwelling group --Dwellings, multiple-family --Hotel/resort hotel --Motel --Parking area or structure with 11 or more spaces --Recreational uses not listed in subsection A. "Permitted Uses", including alpine slide and mountain coaster.	--Trail and trailhead improvement --Temporary construction improvement B. Conditional Uses Conditional uses in the MRZ-Village District are as follows: --Accessory buildings and uses customarily incidental to conditional use --Dwelling group --Dwellings, multiple-family --Hotel/resort hotel --Motel -- <u>Mountain bike terrain park</u> -- <u>Outdoor recreation equipment</u> --Parking area or structure with 11 or more spaces -- <u>Natural resource based recreational facilities having a similar character as other permitted or conditional uses in this section, including alpine slide and mountain coaster.</u> -- <u>Skating rink</u> -- <u>Ski bridge</u> -- <u>Swimming pool</u>	--Temporary construction improvement B. Conditional Uses Conditional uses in the MRZ-Village District are as follows: --Accessory buildings and uses customarily incidental to conditional use --Dwelling group --Dwellings, multiple-family --Hotel/resort hotel --Motel --Mountain bike terrain park --Outdoor recreation equipment --Parking area or structure with 11 or more spaces -- Natural resource based recreational <u>activities and facilities</u> having a similar character as other permitted or conditional uses in this section, including alpine slide and mountain coaster. --Skating rink -- Ski bridge --Swimming pool -- <u>Tennis court</u>	<u>recreational facility or activity, the Planning Commission shall also consider the following additional factors:</u> <u>a. The degree to which visitors are able to engage with the natural setting;</u> <u>b. The similarity of the facility or activity to other permitted and conditional uses in the MRZ Recreation District; and,</u> <u>c. The extent that a visitor's experience is interdependent with attributes common to the natural setting.</u>
Potential Actions: 1. Approve the draft with no change 2. Amend the draft as recommended by the MPD Planning Commission 3. Amend the draft as recommended by the County Planning Commission (adding "activities" to "natural resource based recreational facilities" and adding "tennis court" as a conditional use) 4. Amend the draft as recommended by the Mayor (which is the County PC recommendation with additional requirements for "natural resource based recreation.")			

18: 19.13.030.A and 19.13.030.B – MRZ Pgs. 2-3, lines 56-129 Conditional and permitted uses in the MRZ recreation district

<u>Current Draft:</u>	<u>MPD Planning Commission:</u>	<u>County Planning Commission:</u>	<u>Mayor Recommendation:</u>
A. Permitted Uses	A. Permitted Uses	A. Permitted Uses	Approval as recommended by the

<p>Permitted uses in the MRZ-Recreation District are as follows:</p> <ul style="list-style-type: none"> --Accessory buildings and uses customarily incidental to permitted use --Conservation activity --Trail and trailhead improvement --Outdoor recreation equipment --Public and quasi-public use structure --Parking area or structure with four (4) or fewer spaces --Temporary construction improvement --Minor ski or mountain resort improvements --Solar farm --Mountain resorts, including the following: <ul style="list-style-type: none"> --Recreational outdoor and trail lighting --Passenger ski or tramway station and ski base/terminal facility --Ski tow rope, ski lift, ski tram, ski run and ski bridge --Recreational sports field --Skating rink --Skateboard park --Outdoor event, outdoor music --Resort support, commercial --Zip line --Ropes course --Mountain bike terrain park and trails --Frisbee golf course <p>B. Conditional Uses</p> <p>Conditional uses in the MRZ-Recreation District are as follows:</p> <ul style="list-style-type: none"> --Accessory buildings and uses customarily incidental to conditional use --Parking area or structure with five (5) 	<p>Permitted uses in the MRZ-Recreation District are as follows:</p> <ul style="list-style-type: none"> --Accessory buildings and uses customarily incidental to permitted use --<u>Class B Beer outlet</u> --<u>Class C Beer outlet</u> --Conservation activity --Trail and trailhead improvement --<u>Employee and maintenance parking area</u> with four (4) or fewer spaces --Temporary construction improvement --Minor ski or mountain resort improvements --Mountain resorts, including the following: <ul style="list-style-type: none"> --Recreational outdoor and trail lighting --Passenger ski or tramway station and ski base/terminal facility --Ski tow rope, ski lift, ski tram, ski run --Outdoor event, outdoor music --Resort support, commercial --Ropes course --Mountain bike trails --Frisbee golf course <p>B. Conditional Uses</p> <p>Conditional uses in the MRZ-Recreation District are as follows:</p> <ul style="list-style-type: none"> --Accessory buildings and uses customarily incidental to conditional use --<u>Employee and maintenance parking area</u> or structure with five (5) or more spaces --<u>Food and beverage businesses, including alcoholic beverage licenses</u> 	<p>Permitted uses in the MRZ-Recreation District are as follows:</p> <ul style="list-style-type: none"> --Accessory buildings and uses customarily incidental to permitted use --<u>Class B Beer outlet</u> --<u>Class C Beer outlet</u> --Conservation activity --Trail and trailhead improvement --<u>Employee and maintenance parking area</u> with four (4) or fewer spaces --Temporary construction improvement --Minor ski or mountain resort improvements --Mountain resorts, including the following: <ul style="list-style-type: none"> --Recreational outdoor and trail lighting --Passenger ski or tramway station and ski base/terminal facility --Ski tow rope, ski lift, ski tram, ski run --Outdoor event, outdoor music --Resort support, commercial --Ropes course --Mountain bike trails --Frisbee golf course <p>B. Conditional Uses</p> <p>Conditional uses in the MRZ-Recreation District are as follows:</p> <ul style="list-style-type: none"> --Accessory buildings and uses customarily incidental to conditional use --<u>Employee and maintenance parking area</u> or structure with five (5) or more spaces --<u>Food and beverage businesses,</u> 	<p>MPD Planning Commission, with the following change to “natural resource based recreational facilities” as listed under B. Conditional Uses:</p> <ul style="list-style-type: none"> --Natural resource based recreation, <u>provided that:</u> <ol style="list-style-type: none"> <u>1. The planning commission determines as part of a conditional use application all of the following:</u> <ol style="list-style-type: none"> <u>a. The facility or activity does not change the primary purpose of the mountain resort to other than snow sports;</u> <u>b. The facility or activity encourages outdoor recreation and enjoyment of nature;</u> <u>c. To the extent practicable, the facility or activity is located within the portions of the ski area that are developed or that will be developed pursuant to the Area Plan;</u> <u>d. The facility or activity is consistent with the zoning established in the Area Plan;</u> <u>e. To the extent practicable, the facility or activity harmonizes with the natural environment of the site in which it is located by:</u> <ol style="list-style-type: none"> <u>i. Being visually consistent with or subordinate to the mountain resort’s existing facilities, vegetation and landscape; and</u> <u>ii. Not requiring significant modifications to topography to facilitate construction or operations, and;</u> <u>f. The facility or activity does not require extensive new support facilities, such as parking lots,</u>
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or more spaces --Forest industry --Restaurant, including restaurant liquor license --Recreational uses not listed in subsection A. "Permitted Uses", including alpine slide and mountain coaster	-- <u>Mountain bike terrain park</u> -- <u>Outdoor recreation equipment</u> -- <u>Ski bridge</u> -- <u>Natural resource based recreational facilities having a similar character as other permitted or conditional uses in this section, including alpine slide and mountain coaster</u>	including alcoholic beverage licenses -- <u>Mountain bike terrain park</u> -- <u>Outdoor recreation equipment</u> -- <u>Ski bridge</u> -- <u>Natural resource based recreational activities and facilities having a similar character as other permitted or conditional uses in this section, including alpine slide and mountain coaster</u>	restaurants, and lifts. 2. Facilities and activities may include, subject to the factors in subsection (C) below, zip lines, ropes courses, alpine slides and mountain coasters. Unless expressly allowed in this chapter, facilities may not include water slides, water parks, and amusement parks. 3. In determining if a proposed use qualifies as a natural resource based recreational facility or activity, the Planning Commission shall also consider the following additional factors: a. The degree to which visitors are able to engage with the natural setting; b. The similarity of the facility or activity to other permitted and conditional uses in the MRZ Recreation District; and, c. The extent that a visitor's experience is interdependent with attributes common to the natural setting.
Potential Actions: 1. Approve the draft with no change 2. Amend the draft as recommended by the MPD Planning Commission 3. Amend the draft as recommended by the County Planning Commission (adding "activities" to "natural resource based recreational facilities") 4. Amend the draft as recommended by the Mayor (which is the MPD recommendation with additional requirements for "natural resource based recreation.")			

19: 19.13.090 – MRZ Pg. 19, lines 996-1000 Add a definition of "natural resource based recreational facility"		
Current Draft: (Not included)	MPD Planning Commission: Add the following definition: "Natural Resource Based Recreational Facility: A facility that encourages outdoor recreation and	County Planning Commission: Change "...facility" to "...activity or facility," to the definition proposed by the MPD.

	enjoyment of nature that, to the extent practicable, harmonizes with the natural environment; including uses such as zip lines, mountain bike terrain parks and trails, disc golf courses, and ropes courses; but excluding tennis courts, water slides and water parks, swimming pools, golf courses, and amusement parks.”	
Potential Actions: <ol style="list-style-type: none"> 1. Amend the draft as recommended by the MPD Planning Commission 2. Amend the draft as recommended by the County Planning Commission 		

20: 19.13.020.A – MRZ Pg. 1, lines 36-37 Limit MRZ boundaries to existing resort boundaries		
<u>Current Draft:</u> The minimum area requirement for a Mountain Resort Zone shall be 1,000 contiguous acres located within the Salt Lake County Mountainous Planning District.	<u>MPD Planning Commission:</u> The minimum area requirement for a Mountain Resort Zone shall be 1,000 contiguous acres located within <u>both</u> the Salt Lake County Mountainous Planning District <u>and</u> <u>U.S. Forest Service Special Use Permit boundary.</u>	<u>County Planning Commission:</u> Current Draft as written
Potential Actions: <ol style="list-style-type: none"> 1. Approve the draft with no change 2. Amend the draft as recommended by the MPD Planning Commission 3. Amend the draft to read, “The minimum area requirement for a Mountain Resort Zone shall be 1,000 contiguous acres located within the Salt Lake County Mountainous Planning District, <u>which acreage must be acknowledged in the adopted County General Plan as a ski resort or mountain resort.</u>” 4. Other... 		

21: 19.72.130.D, G, and H – Pg. 20, lines 887-889; pg. 22, lines 931-944, and pg. 23, lines 967-998 Setbacks from perennial streams.				
<u>Current Code:</u> 100’ setback for all structures and septic drain fields. Administrative (staff level) waiver may be granted to 75’ under certain criteria. Administrative (staff level) waiver may be granted to 50’ if the lot would otherwise be undevelopable.	<u>Draft Revised FCOZ:</u> 50’ setback for all structures; 100’ setback for all septic drain fields. No administrative waivers are available except as granted jointly by the County Health Department and Salt Lake City Public Utilities	<u>MPD Planning Commission:</u> Retain the stream setbacks and administrative relief mechanisms available in the current code.	<u>County Planning Commission:</u> Approve the setbacks as written in the Draft Revised FCOZ.	<u>Mayor Recommendation:</u> 100’ setback for all development. Remove administrative waiver to 75’. Allow administrative waiver to 50’ if the lot would otherwise be undevelopable, provided the County has the right to negotiate purchase of the lot in lieu of a waiver.

Potential Actions:

5. Approve the draft with no change (as recommended by the County Planning Commission).
6. Amend the draft to restore the 100' setback and the available administrative waivers available in current FCOZ (as recommended by the MPD Planning Commission).
7. Amend the draft to restore the 100' setback, and only allow waivers (to 50') in cases where the lot would otherwise be undevelopable; provided the County reserves the right to negotiate purchase of the property in lieu of a waiver (as recommended by the Mayor).
8. Amend the draft to restore the 100' setback, and only allow waivers for additions and renovations to existing buildings (to 50').
9. Other...

22: 19.72.060.D – FCOZ Pg. 9, line 378 Slope waivers by planning commissions for lots of record

<u>Current Code:</u> N/A	<u>Draft Revised FCOZ:</u> N/A	<u>Planning Commissions:</u> No recommendation	<u>Mayor Recommendation:</u> Add the following section to 19.72.060(D) and 19.72.130(H), <u>"In the interest of protecting the public health, safety, and welfare, the County may pursue negotiations with a property owner to purchase their property as open space as an alternative to granting a waiver. These negotiations shall not delay the County's processing of any land use application."</u>
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Potential Actions:

1. Approve the draft with no change
2. Amend 19.72.060(D) and 19.72.130(H) of the draft as recommended by the Mayor

23: 19.72.010 - FCOZ Pgs. 1-2, lines 28-58 Purpose Section

<u>Current Code:</u> A. The general purpose of the foothills and canyons overlay zone is to promote the health, safety, and public welfare of the residents of the county, and while being cognizant of private property rights, to preserve the natural character of the foothills and canyons by establishing standards for foothill and canyon development proposed in the unincorporated areas of the county. B. The standards for development contained herein are intended specifically to accomplish the following purposes: <ol style="list-style-type: none">1. Preserve the visual and aesthetic qualities of the foothills and canyons, including prominent ridgelines, which are vital to the attractiveness and economic viability of the county;2. Encourage development designed to reduce risks	<u>Draft Revised FCOZ:</u> 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. Specifically, these standards are intended to: A. Preserve the visual and aesthetic qualities of the foothills, canyons, and prominent ridgelines as defined herein, contributing to the general attractiveness and, where appropriate, the commercial viability of these areas. B. Protect public health and safety by adopting standards designed to reduce risks associated with natural and man-made hazards.	<u>Planning Commissions:</u> Approve as written in the draft revised FCOZ
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<p>associated with natural hazards and to provide maximum safety for inhabitants;</p> <p>3. Provide adequate and safe vehicular and pedestrian circulation;</p> <p>4. Encourage development that fits the natural slope of the land in order to minimize the scarring and erosion effects of cutting, filling, and grading related to construction on hillsides, ridgelines, and steep slopes;</p> <p>5. Prohibit activities and uses that would result in degradation of fragile soils, steep slopes, and water quality;</p> <p>6. Provide for preservation of environmentally sensitive areas and open space by encouraging clustering or other design techniques to preserve the natural terrain, minimize disturbance to existing trees and vegetation, preserve wildlife habitat, and protect aquifer recharge areas;</p> <p>7. Reduce flooding by protecting streams, drainage channels, absorption areas, and floodplains from substantial alteration of their natural functions.</p>	<p>C. Provide efficient, environmentally sensitive, and safe vehicular and pedestrian circulation.</p> <p>D. Encourage development that conforms to the natural contours of the land and minimizes the scarring and erosion effects of cutting, filling and grading on hillsides, ridgelines, and steep slopes.</p> <p>E. Balance private and commercial needs against the risk of destabilizing fragile soils, defacing steep slopes and degrading water quality.</p> <p>F. Minimize disturbance to existing trees and vegetation, conserve wildlife habitat, protect aquifer recharge areas, and otherwise preserve environmentally sensitive natural areas by encouraging clustering, the transfer of development rights, or other design techniques to preserve the natural terrain.</p> <p>G. Reduce flooding by protecting streams, drainage channels, absorption areas, and floodplains.</p> <p>H. Protect property rights and commercial interests, and encourage economic development.</p> <p>I. Recognize the link between environmental protection and economic prosperity in the canyons.</p>	
<p>Potential Actions:</p> <ol style="list-style-type: none"> 1. Approve the draft with no change 2. Amend the draft to retain the purpose statements as written in the current code 3. Other... 		

{The following issue was raised in discussions with the District Attorney’s Office as one that ought to be addressed}

24: 19.72.190 – FCOZ Pgs. 40-42, lines 1211-1324 FCOZ waivers for mountain resort property not in a Mountain Resort Zone		
<p>Current Code:</p> <p>Mountain resorts may request a waiver of FCOZ development standards in accordance with criteria established by ordinance</p>	<p>Current Draft:</p> <p>This waiver provision was eliminated because it was assumed that all mountain resort property would be rezoned to MRZ. Staff, in consultation with the District Attorney, is concerned that to the extent mountain resort property is not included in an MRZ, the property would lose development potential that it had under the current FCOZ, which would create significant risk of a taking.</p>	<p>Recommendation:</p> <p>Reinsert FCOZ waiver provision for mountain resort property that is not included in a Mountain Resort Zone, but limit the waiver possibility to property a mountain resort currently owns.</p> <ul style="list-style-type: none"> • May also require that if a mountain resort requests and is granted such a waiver, that the mountain resort enter into a development agreement with County, wherein County can attempt to

		negotiate a right to purchase the property, or incorporate any conditions imposed by the planning commission as allowed by ordinance.
<p>Potential Actions:</p> <p>1. Amend the draft to reinstate the FCOZ waiver provision for mountain resort property not included in the MRZ zone, limited to property currently owns (as of date of passage of the ordinance).</p>		