Mountainous Planning District Planning Commission

Public Meeting Agenda

Thursday, November 2, 2017 4:00 P.M.

Location
SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, ROOM N1-110
NORTH BUILDING, COUNCIL CHAMBERS
(385) 468-6700

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 County 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 minutes from the October 5, 2017 meeting.
2) Wasatch Canyons General Plan Update – Max Johnson (recurring)
3) Other Business Items (as needed)

PUBLIC HEARINGS

30548 – Jonathan Carpenter is requesting a waiver for development on slopes exceeding 30% (Less than 40%). Location: 12362 East Forest Glen Road. Community Council: Big Cottonwood Canyon. Zone: FR-0.5. Planner: Jim Nakamura

ADJOURN
MEETING MINUTE SUMMARY
MOUNTAINOUS PLANNING DISTRICT PLANNING COMMISSION MEETING
Thursday, October 5, 2017 4:00 p.m.

Approximate meeting length: 38 minutes
Number of public in attendance: 2
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Young

ATTENDANCE

<table>
<thead>
<tr>
<th>Commissioners</th>
<th>Public Mtg</th>
<th>Business Mtg</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>NEIL COHEN</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>NICOLE OMER</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>TOD YOUNG (Chair)</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>LIBBY ELLIS</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>LINDA JOHNSON</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>DON DESPAIN</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>REID PERSING (Vice Chair)</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>CATHERINE KANTER</td>
<td></td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>JAMES PALMER</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>CHRISTIE HUTCHINGS</td>
<td>x</td>
<td>x</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Planning Staff / DA</th>
<th>Public Mtg</th>
<th>Business Mtg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wendy Gurr</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Jake Young</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Spencer Hymas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Curtis Woodward</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Todd Draper</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Zach Shaw (DA)</td>
<td>x</td>
<td>x</td>
</tr>
</tbody>
</table>

*NOTE: Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

BUSINESS MEETING
Meeting began at – 4:00 p.m.

1) Approval of Minutes from the September 7, 2017 meeting.

   **Motion**: To approve minutes from the September 7, 2017 meeting as presented.
   **Motion by**: Commissioner Johnson
   **2nd by**: Commissioner Palmer
   **Vote**: Commissioners voted unanimous in favor (of commissioners present)

2) Wasatch Canyons General Plan Update – Max Johnson (recurring)

   Jake Young advised the project is moving fast. There was an open house on September 27th and 64 people signed in, about 80 people attended. Received feedback and overall was a good public open house meeting. Representatives from UDOT, UTA, Forest Service, Salt Lake County, and Consultants were in attendance. Purpose of open house was letting the public know of the process and getting feedback. October will be busy; they have five public events, beginning at Snowbird
October 14th, Cottonwood Heights October 18th, Farmers Market October 21st, Wheeler Farm October 23rd, Solitude October 28th, and Draper November 1st, all open houses. All meetings are for the same purpose—envisioning. The website is up but survey is closed. They received over 1000 responses. There will be a sign up to follow the process and links to follow all the plans. Approach is to put everything on the website.

Commissioner Johnson said the survey was biased and didn’t ask any questions for people who are not outdoor enthusiasts, and didn’t ask about the toilets. Mr. Young said he spoke to owners who made the same points regarding passive recreation. Commissioner Persing asked about the timeline. Mr. Young said this is an 18 month process, looking at summer 2019 to complete the process. Commissioner Ellis asked when this commission will see a draft document. Mr. Young said there will be steps along the way and thinks spring 2018. Commissioner Palmer said the website says plans done in 2019. Commissioner Johnson said some of their terms are going to end and that’s why they are interested. Mr. Young said they are invited to all the public meetings.

3) Other Business Items (as needed)

No other business items to discuss.

Commissioner Ellis motioned to close the business meeting and open the public hearing, Commissioner Persing seconded that motion.

PUBLIC HEARINGS

Hearings began at – 4:15 p.m.

30442 – James Schnepel is requesting conditional use approval for a Short-Term Rental and living quarters for persons employed on the premises. Location: 12274 East Willow Loop Road. Zone: FR-0.5. Community Council: Big Cottonwood. Planner: Todd A. Draper, AICP

Salt Lake County Planning and Development Services Planner Todd Draper provided an analysis of the Staff Report.

Commissioner Cohen asked if he heard from Salt Lake City watershed. Mr. Draper said they did not respond in writing. He has had conversations for the review process but no one has responded in writing within the time frame. They will need the watershed approval. Commissioner Johnson asked why they needed permission from the watershed when they already have a four bedroom house. Mr. Draper said all applicants need permission from watershed. Commissioner Johnson asked if all the rules they complied with are the same rules now. Mr. Draper said FCOZ has changed and they did get exceptions when they built the home, but were minor. Commissioner Omer said she is curious about the HOA comment made by the Big Cottonwood Community Council. Mr. Draper said the regulations we abide by are not the same as an HOA, which can be more restrictive, but can’t violate ordinance; the County can’t enforce their rules. Commissioner Omer asked if there are other short term rentals. Mr. Draper said there is another one recently across the street. Can’t enforce the HOA rules.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant
Name: James Schnepel and owner Bryan Reynolds
Address: 12274 Willow Loop Road
Comments: Mr. Schnepel said he’s aware of noise issues for the neighborhood. He is the caretaker and can put a handle on that. He has complained to a neighbor for noise.

Commissioners had a brief discussion. Commissioner Johnson asked the applicant how long he has lived in the home. Mr. Schnepel advised he has lived there five years.

Commissioner Persing motioned to close the public meeting, Commissioner Omer seconded that motion. Commissioners voted unanimous in favor (of commissioners present)

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion. Commissioner Johnson said she is concerned about oil leakage and car dirt getting into the creek and posting all the regulations. Commissioner Persing asked about the condition. Mr. Shaw said condition is consistent with 19.84.060 of the ordinance, which provides conditional use standards for environmental impacts. Commissioner Cohen said add a condition to post the health department rules and regulations and be consistent with other short-term rentals. Commissioner Palmer said should post the telephone number of the caretaker. Commissioner Cohen said rental contract should advise of need for 4-wheel drive vehicle in the winter. Commissioner Johnson said if they are going to put requirements on other short term rentals in the neighborhood, we should apply them to all.

Motion: To approve application #30521, including staff recommendations and four additional conditions:

5. Post Health Department Rules for noise hours;
6. Post Caretakers phone number on the exterior;
7. Advise renters of Big Cottonwood Canyon need for 4-wheel drive or chains in winter;
8. Control runoff of grease/oil from parking areas to wetlands.

Motion by: Commissioner Palmer
2nd by: Commissioner Johnson

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

MEETING ADJOURNED

Time Adjourned – 4:38 p.m.
Slope Waiver Summary and Recommendation

Public Body: Planning Commission  
Meeting Date: 11/2/17
Parcel ID: 24-26-102-004
Property Address: 12362 Forest Glen Rd
Request: Slope Waiver
Zone: FR-0.5 (foothills and canyons overlay zone)
Community Council Recommendation: Approval
Planner: Jim Nakamura
Planning Staff Recommendation: Approval
Applicant Name: Jonathan Carpenter

PROJECT DESCRIPTION

Jonathan Carpenter is requesting a slope waiver for a single family lot in the Foothills and Canyons overlay zone. The waiver is required to develop on slopes over 30% but less than 40%. The subject property is considered a lot of record. Staff has determined that the property is eligible for the request and the Planning Commission has the authority to approve a waiver to develop on slopes greater than 30%.

The developable area is limited based on associated requirements for the septic system (per SLCO Health regulations). Buildable areas exist on slopes between 30-40% grades. The proposed area per applicant will be least amount of steep slope development on the parcel.

The proposed development will meet all associated FCOZ requirements within the permitted use application, file number 29784 prior to any building permits being issued.

SITE & VICINITY DESCRIPTION  
(see attached map)

LOT 26, FOREST GLEN PLAT C SUB—(off of guardsman pass) – Big Cottonwood Canyon

ZONE CONSIDERATIONS

| Compatibility with existing buildings in terms of size, scale and height. | Y |
| Compliance with Landscaping Requirements Verified. | Y |
NEIGHBORHOOD RESPONSE

No response has been received from the neighborhood at the time of this report (10/25/17).

COMMUNITY COUNCIL RECOMMENDATION

The applicant met with Big Cottonwood Community Council on October 10th, 2017. The Council has recommended approval of this application by the Planning Commission.

REVIEWING AGENCIES RESPONSE

<table>
<thead>
<tr>
<th>AGENCY: Grading</th>
<th>DATE: 8/31/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>RECOMMENDATION: Approval</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AGENCY: Health</th>
<th>DATE: 8/31/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>RECOMMENDATION: Approval</td>
<td></td>
</tr>
</tbody>
</table>

Compliance with current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval.

PLANNING STAFF ANALYSIS

19.12.150 - Applicability to lots of record and waiver from slope requirements.

A. Applicable to Lots of Record. All standards and requirements for development in the FR zones as set forth in this chapter shall apply to development on lots and in subdivisions that were recorded prior to the enactment date of the ordinance codified in this chapter.

B. Lots of Record—Waivers from slope Requirements. For properties in the FR zones also located in the foothills and canyons overlay zone (see Chapter 19.72), the planning commission may waive grade requirements for streets/roads and slope protection requirements for lots of record and lots and plans of subdivisions that were approved prior to the enactment of Chapter 19.72, provided the conditions and criteria set forth in Section 19.72.060A are satisfied.

Staff has determined that this is a lot of Record. Salt Lake County Planning staff has determined the applicant’s property conforms to the criteria listed above.
19.72.060 - Slope protection.

D. Waiver of Slope Protection Standards for Lots of Record.

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 on slopes greater than thirty percent or in ridge line protection areas, as set forth above.
   b. Limitations on the crossing of slopes greater than thirty percent by any street, road, private access road or other vehicular route, as addressed in Subsection 19.72.080.

2. The planning commission may only waive these standards upon satisfaction of the following criteria:
   a. Strict compliance with the above slope protection standards.
      i. Renders the site undevelopable, or
      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 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 from slope and ridge line protection standards, 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.

Staff has determined that this is not in a ridgeline protection area. Staff has determined that this application satisfies the above criteria for a slope waiver to be granted by the Planning Commission.

**PLANNING STAFF RECOMMENDATION**

Staff recommends approval of the slope waiver conditioned upon the applicant obtaining approval from staff and all agencies in association with the permitted use application, file 29784.
Good Afternoon Jim,

The Big Cottonwood Community Council recommends approval for the Slope Waiver on Jonathan and Nancy Carpenter’s proposed new home in Forest Glen. It was a unanimous vote. Other comments included appreciation for the landscape plan that avoids loss of large conifers and aspen stands. The roof design appears to be winter resistant, and the covered parking will be very helpful in this environment.

Thanks to Jonathan Carpenter for coming to our Community Council meeting. He did a great job of explaining the situation to a room-full of strangers. They will be excellent neighbors. We wish his family a smooth and rewarding home-building experience.

All the best,
Barbara
File #: 30548 – Slope waiver
Address: 12362 Forest Glen Road
Subject Property Outlined in blue
Forest Glen subdivision project area for slope waiver

12362 Forest Glen Rd

Forest Glen subdivision
Waiver of Slope Protection Standards for Lots of Record.

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:

4. Notwithstanding its discretion to grant waivers 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.

The slope was measured in accordance with the Definition of slope in the FCOZ Ordinance, based on that measurement the slope through the buildable area was determined to be 38% Grade which requires a Slope waiver under the current Ordinance. GMB 9/21/17
view of road from proposed development