Mountainous Planning District Planning Commission
Public Meeting Agenda
Thursday, February 6, 2020 4:00 P.M.

Location
SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, ROOM N2-800
NORTH BUILDING, SECOND FLOOR
(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.

PUBLIC HEARING


Salt Lake County (SLCo) is considering adopting the proposed Wasatch Canyons General Plan (WCGP/Plan). The WCGP is a 20-30 year long-range plan for the areas within Parleys Canyon, Mill Creek Canyon, Big Cottonwood Canyon, Little Cottonwood Canyon and adjacent unincorporated foothills. The Plan meets the required State laws for General Plans including the elements of Housing, Transportation and Land Use, along with additionally important topics of Recreation, Environment and Economy. Planner: Jake Young

BUSINESS MEETING

1) Approval of minutes from the November 7, December 5, 2019, and January 2, 2020 meetings.
2) Short Term Rentals ordinance discussion and update.
3) Other Business Items (as needed)

ADJOURN
Conditional Use Summary and Recommendation

Public Body: Mountainous Planning District
Parcel ID: 24-21-228-011
Property Address: 11388 E Mountain Sun, Ln
Request: Short-Term Rental (4 bedrooms)

Community Council: Big Cottonwood
Planner: Jim Nakamura
Community Council Recommendation: approval (on meeting 1.13.20)
Planning Staff Recommendation: approval
Applicant Name: Rich Dorney

PROJECT DESCRIPTION

Rich Dorney is requesting a Short-Term rental conditional use approval.

5.19.010 - Short-term rental defined.

"Short-term rental" means any dwelling or condominium or portion thereof that is available for use or is used for accommodations or lodging of guests for a period of less than thirty consecutive days, wherein guests pay a fee or other compensation for said use.

SITE & VICINITY DESCRIPTION (see attached map)

The subject property is located on the North side of Big Cottonwood Canyon Road (lot 3 Larry Rogers Sub) across the road from the Silver Fork Development.
LAND USE CONSIDERATIONS

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Proposed</th>
<th>Compliance Verified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Must be located in Big or Little Cottonwood Canyon east of the line between R1E and R2E.</td>
<td>Located in Big Cottonwood Canyon, east of the dividing line.</td>
<td>Yes</td>
</tr>
<tr>
<td>Sewer Connection</td>
<td>Must be connected to a public sewer system.</td>
<td>Connected to a public sewer system.</td>
<td>Yes (confirmed)</td>
</tr>
<tr>
<td>Water Connection</td>
<td>Must be connected to an approved year round drinking water supply.</td>
<td>Connection to an approved year round drinking water supply.</td>
<td>Yes (confirmed)</td>
</tr>
<tr>
<td>Parking and Maintenance</td>
<td>4 Spaces Required, Maintained year-round.</td>
<td>2 spaces in attached garage and 2 spaces in front of SFD</td>
<td>Yes</td>
</tr>
</tbody>
</table>

ISSUES OF CONCERN/PROPOSED MITIGATION

Planning Staff has not identified any issues of concern. However, Planning Staff supports the recommendations from the Big Cottonwood Canyon Community Council outlined below.

NEIGHBORHOOD RESPONSE

None as of 1.27.20

COMMUNITY COUNCIL (Big Cottonwood) RESPONSE

On January 13, 2020

Application #31083
Big Cottonwood Community Council recommended approval of Application #31083
PLANNING STAFF ANALYSIS

Additional requirements for short term rentals are included in the definition of a short term rental:

19.04.547 - Short-term rental.
A. "Short-term rental" means any dwelling or portion thereof that is available for use or is used for accommodations or lodging of guests, paying a fee or other compensation for a period of less than thirty consecutive days.
B. A short-term rental shall not contain more than four bedrooms.
C. A short-term rental shall be maintained to the following minimum standards:
   1. Structures shall be properly maintained, painted and kept in good repair, and grounds and landscaped areas shall be properly maintained and watered in order that the use in no way detracts from the general appearance of the neighborhood; and
   2. Required parking areas and access to parking areas shall be maintained and available for use at all times. Parking for this use shall be contained on the site, and shall not be allowed on the public rights-of-way; and
   3. Snow shall be removed from sidewalks and driveways within one hour after the snow has ceased falling, provided that in case of a storm between the hours of five p.m. in the afternoon and six a.m. in the morning, the sidewalk shall be cleaned before eight a.m. the morning following the storm.
D. Occupants of a short-term rental shall not create excessive noise that is incompatible with adjacent land uses.
E. A short-term rental use shall not have any signs on the premises that advertise the use.
F. The use of a dwelling as a short-term rental shall not change the appearance of the dwelling or property for residential purposes.
G. Outdoor pools, hot tubs or spas shall not be used between the hours of ten p.m. and eight a.m.


The following conditional uses are subject to the requirements of this chapter, all general and specific conditions, criteria, and approval procedures set forth in Chapter 19.84, "Conditional Uses," and for properties situated within the foothills and canyons overlay zone, the procedures and provisions of Chapter 19.72, "Foothills and Canyons Overlay Zone" and Chapter 19.73, "Foothills and Canyons Site Development and Design Standards.

Short term rentals provided that:

1. The property is located within Big or Little Cottonwood Canyons east of the dividing line between R1E and R2E, and

2. The on-site parking and the access to the site are available for use and maintained, including snow removal, throughout the entire year, and
3. The dwelling unit is served by an approved drinking water supply and public sewer system that can support the use throughout the entire year, and are approved by the health department prior to issuance of a license;

PLANNING STAFF RECOMMENDATION

Staff recommends that the Mountain Planning District Planning Commission grant approval of the Conditional Use Permit for this Short-Term Rental proposal. Based on the below Rental agreement being adhered to:

1. The Rental Agreement to include the following provisions:
   a. Quiet hours per Salt Lake County Health Regulation 21 (10 pm – 7 am), with noise no louder than 5 decibels above ambient (surrounding) sound and no louder than 50 decibels.
   b. UDOT requirements for snow tires/chains (during severe weather, as determined by UDOT or local law enforcement, who notifies the public via road signs, message boards, UDOT Traffic app, and/or UDOT social media), i.e., all-wheel or 4-wheel drive with M/S or M+S tires; 2-wheel drive has snow tires (3PMSF) OR chains/snow socks.
   c. Dogs not allowed in Big or Little Cottonwood Canyons under County Health Department Regulation 14 (except for service dogs or permitted watershed dogs).
   d. Garbage/Recycle cans to be kept inside the garage to eliminate wildlife and rodents from scattering trash.
   e. Parking not allowed on public rights-of-way but must be contained on-site.
   f. Hot tub or spa use not allowed between 10 pm – 8 am.
   g. Post these requirements in a prominent place in the home.

2. Post the owner or manager’s contact information on the outside of the home so that neighbors can report problems.

3. Parking for this use shall be contained on the site and shall not be allowed on the public rights-of-way.
4. Required parking areas and access to parking areas shall always be maintained and available for use.
5. The on-site parking and the access to the site must be available for use and maintained, including snow removal, throughout the entire year.
6. The short-term rental shall not contain more than four bedrooms.
7. Structures shall be properly maintained, painted and kept in good repair, and grounds shall be properly maintained in order that the use in no way detracts from the general appearance of the neighborhood.
8. The short-term rental shall not have any signs on the premises that advertise the use.
9. The use of the dwelling as a short-term rental shall not change the appearance of the dwelling or property for residential purposes.
- Width of rock wall at east end of driveway by parking pad 8'6"
- Width of road at west end of parking pad 18'1"
- Width of road at front door 16'10"
- Width of road at east end of garage 16'4"
- Average distance garage doors to road 8'9"
project 31083 Dorney short-term rental

Front of 11388 E Mountain Sun parking areas (#1-4) shown
SHORT TERM RENTAL AGREEMENT

1. Information about quiet hours and property management contacts shall be posted at all times. Quiet hours are 10 pm to 7 am.
2. Occupants of a short-term rental shall not create excessive noise that is incompatible with adjacent land uses. Quiet hours are 10 pm to 7 am.
3. The Rental Agreement shall require compliance with Regulation 21 of the Salt Lake County Health Department, which identifies the permitted decibel level and other noise limitations for the property.
4. Owner must advise renters that they must comply with UDOT requirement regarding snow tires/chains.
5. Owner must advise renters that no dogs are allowed in Big Cottonwood Canyon due to Watershed regulations.
6. Parking for this use shall be contained on the site, and shall not be allowed on the public rights-of-way.
7. Required parking areas and access to parking areas shall be maintained and available for use at all times.
8. The on-site parking and the access to the site must be available for use and maintained, including snow removal, throughout the entire year.
9. Snow must be removed from sidewalks and driveways within one hour after the snow has ceased falling, or before 8 am.
10. The short-term rental shall not contain more than four bedrooms.
11. Structures shall be properly maintained, painted and kept in good repair, and grounds shall be properly maintained in order that the use in no way detracts from the general appearance of the neighborhood.
12. The short-term rental shall not have any signs on the premises that advertise the use.
13. The use of the dwelling as a short-term rental shall not change the appearance of the dwelling or property for residential purposes.
14. Hot tubs or spas shall not be used between the hours of ten p.m. and eight a.m. They shall be connected to the sewer.

RECYCLING

NO PLASTIC BAGS IN RECYCLE BIN
BOXES-BREAK ‘EM DOWN
No bagged items allowed

Location of Recycle Bins
Brighton Circle and Silver Fork Entry

What to Recycle
Paper, cardboard, aluminum cans, steel cans, plastic bottles/containers #1-7

What NOT to Recycle
Glass, Food, Hazardous or Green Waste

House Safety

Location of Propane Turn-Off:

Location of Water Turn-Off:

Location of Electric Turn-Off:

Owner Contact:
The Salt Lake County Mountainous Planning District Planning Commission is considering the current draft of the proposed Wasatch Canyons General Plan (WCGP/Plan). The WCGP is a 20-30 year long-range plan for the areas within Parleys Canyon, Mill Creek Canyon, Big Cottonwood Canyon, Little Cottonwood Canyon and adjacent unincorporated foothills. The Plan meets the required State laws for General Plans including the elements of Housing, Transportation and Land Use, along with additional topics of Recreation, Environment and Economy.

A summary of the Plan will be presented, followed by public comments and discussion/consideration by the Mountainous Planning District Planning Commission.

**PUBLIC HEARING**

Thursday, February 6th 4:00 PM
Salt Lake County Government Center, 2001 State Street Room N2-800 (North Building, Second Floor, Room 800)

To review the current WCGP draft visit the project website listed below:

SLCO.ORG/WASATCH-CANYONS
Log Haven Restaurant  
Flying Cloud Enterprises  
6451 E. Millcreek Canyon Rd.  
Millcreek, Utah 84109

January 29, 2020

Dear Planning Commissioners,

Overall, we believe that Jake Young and Jim Carter have done an excellent job of preparing the sections of the General Plan in which we are most interested - the Introduction and Mill Creek Canyon. Their receptiveness to public comments has allowed them to make these sections more accurate and more complete in most cases with each updated draft. Therefore, we have only the following three comments on the January draft.

Parking Policies, page 73, right-hand column: Convenient and sufficient parking is extremely important to the survival of any restaurant or reception center, and Log Haven is no exception. Therefore, the changes made to the parking policies in the new draft are of critical concern to us.

The last draft supported “striping parking lots and appropriate roadside parking areas to maximize parking availability.” It also supported “management of roadside parking to minimize pedestrian and vehicle conflicts.” These were policies that focused on both the needs and safety of Mill Creek Canyon users and Log Haven patrons, and we agreed that they were appropriate. However, the new draft supports “eliminating” all roadside parking, and this would severely damage Log Haven’s ability to continue operating.

Mr. Young has informed us that these changes were made due to significant roadside parking problems in the Cottonwood Canyons and due to environmental concerns about roadside erosion. These are valid concerns for the Cottonwood Canyons and the National Forest, but they do not apply to our private roadside parking at Log Haven.

The roadside parking in front of Log Haven is paved and is located across the road from the creek, so it does not present any risk of eroding the creek bank. The adjacent parking spaces located downhill from there are also located across the road from the creek and do not present erosion risks. In addition, all of this parking has plenty of visibility from both directions and does not require anyone to make a u-turn to go home. We are not aware of any vehicle or pedestrian accidents caused by these roadside parking spaces in the past 25 years.

For the preceding reasons, Mr. Young has indicated that he is amenable to limiting the overbroad nature of the new policy, and we ask that you support him in doing so. 91% of Mill Creek Canyon is owned by the federal government and managed by the Forest Service; Millcreek Inn has no private roadside parking; and the Boy Scouts very rarely use roadside parking. Since that leaves only Log Haven, we believe that any goal of “eliminating” roadside parking should be limited to the Cottonwood Canyons, where the problems exist. For Millcreek Canyon, the policy statements from the last draft should be reinstated. At a minimum, any policy of eliminating roadside parking needs to be limited to a case-by-case basis.
The County cannot logically say in one section that it supports the continuation of existing businesses for the benefit of the Economy, and then say in another section that it wants to eliminate the long-established and safe roadside parking that a business needs to survive.

**Introduction, page 60:** Vehicle access to Millcreek Canyon for diners and reception guests is also an extremely important issue for both Log Haven and Millcreek Inn. Vehicle access is also a significant issue for the Boy Scout camps. Therefore, in the last line of the Introduction, the concluding phrase should be revised to read: “recognizing that those bound for picnics, the restaurant/reception centers, and the Boy Scout camps will continue to use private vehicles.” Since the Introduction only applies to Mill Creek Canyon, this revision is limited and appropriate.

**Last Sentence, page 74:** The County has been collecting the new $5 toll since the beginning of January, so this sentence needs to be updated.

Thank you in advance for supporting the revisions needed to resolve our preceding concerns.

Margo Provost & Ed Marshall for
Log Haven Restaurant &
Flying Cloud Enterprises