

3.18.2019

Memo to the Alta Planning Commission

From Staff

Re: March 26, 2019 Meeting and the Proposed amendments to the zoning ordinance.

After two years of discussion, review and public hearing you all voted to forward the proposed ordinance amendments to the Alta Town Council for their review and action. Property owners from each area of the proposed Albion Basin Protection Overlay Zone (ABPOZ) were in attendance during these discussions and public hearing. Unfortunately, the state code requirement to send mandatory courtesy notices to each property within the proposed ABPOZ was not satisfied. You now must have another public hearing on the proposed amendments. The first thing on the March 26, 2019, agenda is a public hearing on the proposed amendments, including the proposed ABPOZ. After the hearing and any discussion, you have on the proposed amendments you will have to officially move to forward the proposed amendments to the Town Council again.

Attached is the complete redline version of all the changes we have discussed over the past two plus years. Our attorney has made the following eight (8) technical changes. None of those technical changes affect any previously agreed upon amendments, none of changes are substantive, they are the final corrections to complete the proposed ordinances.

Those eight (8) changes follow:

- 1. Capitalized several defined terms throughout (Structure, Nonconforming, Public Use, Grade, Waterway, Erosion Channels, Town of Alta, US Forest Service, etc.)*
- 2. Updated definition of nonconforming use to match state code*
- 3. Added deputy town clerk in definition of town administration*
- 4. Removed "as defined by law" for public/quasi-public uses since it is defined in the code (and there is not official state code definition)*
- 5. Added "habitable" to 10-6A-10 (G)(2) to clarify when the 100' setback applies vs. 50'*
- 6. Added 10-6E-4 – cross references for the ABPOZ*
- 7. In 10-8-3 – removed "if the status is challenged", since the property owner always has the burden to prove legal existence of use/structure*
- 8. In 8-3-1 Clarified the definition of Residential Heavy User – to be all heavy users and moved to alphabetical spot.*

Attached please find the notice of public hearing and the courtesy notice that has been sent to each of the property owners in the proposed Albion Basin Protection Overlay Zone. That notice has also been published in the Salt Lake Tribune, posted on the State of Utah's public meeting website, the Town's website and physically posted in Town.

Staff recommends that you hold the hearing and listen to any comments from the public. You may discuss any of those comments amongst yourselves after the hearing is closed. If you would like to make any changes to your previous recommendation on the proposed ordinances after hearing and discussing any comments, you may do so at this meeting. Whether you decide to make any changes or leave the ordinance recommendations as they stand after your two years of review and discussion, you will have to officially forward the proposed amendment package to the Town Council for their review and action. Sorry for having to repeat this, but it is better to do so now and eliminate all question before moving forward.

After the public hearing and action on the proposed amendments you can then discuss your priorities for the rest of the year.

Things we have discussed in the past and may want to hone in on in the future include:

- Dark skies
- SR-210 EIS
- Right of way status through Town
- Status of Alta Ski Area/Forest Land Exchange
- West Grizzly Sewer Status
- Anything else you feel you want to concentrate on now is the time to bring it up.