

Land Use Policies

This rural, canyon area is characterized by expansive views of natural terrain, wildlife, and high levels of privacy. These features, plus the close proximity to metropolitan Salt Lake City, are reasons the Emigration Canyon Community is becoming a desirable choice for new residents. The natural environment should be respected and enhanced when development occurs.

The land use policy recommendations in this section are intended to accommodate future housing needs in a way that is compatible with the unique rural and mountain environment. Balancing natural and man-made environments can be achieved when development is sensitive to existing natural resources and constraints. To achieve this balance, the residential requirements stress the relationship to the natural features of this environment, e.g., geology, topography and slope, potential flood hazards, wetlands, wildlife, significant vegetation, scenic views and ridge lines.

When development is proposed, characteristics of the site are identified and development impacts are evaluated. It is during the development review process that sensitive and hazardous areas are identified, the availability of essential services identified, etc.

Each of the sections in this Plan contains specific and more definitive recommendations, which should be applied during the land development review process.

The density recommendations for residential development should follow those outlined in the zoning ordinance, and should comply with other applicable issues contained in the Plan. These recommendations are based on and reflect a desire to maintain a canyon setting while allowing new development to occur in appropriate areas, preserve the diverse environmental resources, and to protect and enhance the quality of life for the entire area.

Zoning

Zoning was originally introduced in the Canyon in 1951. As land use patterns began to develop, the Canyon underwent a major downzoning in 1987 to reflect the residential and rural character of the Canyon.

The Emigration Canyon Community General Plan is a comprehensive, long-range guide. By contrast the Salt Lake County Zoning Ordinance and accompanying maps are specific, immediate and limited primarily to the control of private land development.

Because it provides control over almost every aspect of development, the Zoning Ordinance is the single most important tool to carry out the Plan. The Ordinance provisions and requirements are designed to ensure high standards of land development without

unduly restricting private initiative or causing unnecessary costs to the developer or to the public.

Zoning regulations are enforced by the Salt Lake County Development Services Division. On site inspections are performed by Development Services officials to verify that development is in conformity with all requirements pertaining to the site. Application for variance and special exception to zoning regulations may be made to the Salt Lake County Board of Adjustment. Zoning Amendments are made by the Salt Lake County Commission after review and recommendation by the Planning Commission.

Balancing natural and man-made environments can be achieved when development is sensitive to natural resources and constraints.

The Salt Lake County Zoning Ordinance and its associated maps define and identify various zone classifications. Zone classifications define various land uses and maps indicate zone boundaries. Today, the predominant zoning classifications in the Canyon are FR-0.5, FR-1, FR-5, FR-20 and C-2/zc zones.

The FR zones were created to permit development of canyon areas for forestry, recreation and other uses (such as residential), to the extent such development is compatible with the protection of the natural and scenic resources of these areas for the continued benefit of future generations. The FR zones require a minimum lot area as indicated by the suffix number. For example, FR-0.5 requires a minimum lot area of ½ acre, FR-1 requires 1-acre minimum, FR-5 requires 5 acres, etc. Most of the higher density zones (FR-0.5 and FR-1) are found close to Emigration Canyon Road. Appropriately, the larger lot zones are located in the outlying areas or locations with steep slopes and related topographical and natural constraints not conducive to development.

The C-2/zc zone found in the Canyon allows for commercial development, but restricts uses through the application of “zoning conditions” to a limited range of land uses otherwise permitted in the C-2 zone. It is within these zoning conditions that the full extent of what can be done in that zone is set forth as determined by the Emigration Canyon Township Planning Commission.

The existing zoning in the Canyon is intended to better achieve a proper balance between the man-made and natural environments. Any area-wide rezoning that would occur in the future would reflect the need for further balancing those environments and may occur following significant changes in circumstance, such as with the installation of a canyon-wide water system. Rezoning applications for individual properties will continue to be subject to input and recommendations from the Community Council and County staff, and decisions from the Emigration Canyon Township Planning Commission and the Board of County Commissioners.

In some areas of the community the current zoning and subdivision platting is not in conformance with the Plan. Because the established planning policies will pertain to and allow consideration of new applications only, the recommendations of the Plan contained in the Implementation Section should be strictly followed

in order to bring existing properties and development into compliance with the policies of the Plan. An example of this would be the Groves Subdivision. The Plan recommends that this subdivision, which was platted in the early 1900's and originally intended to be sold as “tenting” lots, be re-platted to comply with current ordinances. The existing lots, many of which are only 25 feet wide, are too small to develop.

Residential Development

Residential Holding Capacity

A major issue for Canyon residents and property owners both in the 1985 and 1998 plans has been the establishment of a Residential Holding Capacity. Residential Holding Capacity simply defined means the amount of development (residential or other) likely to occur given the application of various constraints to development (i.e. slope, available water, soil conditions, access to the site, etc.). During the creation of the 1985 Master Plan, the defining factors, which were used to determine development in the Canyon, were road capacity and development suitability based on slope, access, and soil stability.

Today, there are new factors at the forefront of concerns for establishing a process for determining growth potential. Water has become the single most important issue for Canyon residents and property owners. The primary goal of the residents of the Canyon concerning water is to have a clean supply with adequate water for an uninterrupted flow for culinary use and fire protection purposes. This was determined at a public meeting during which residents, property owners, and Canyon users were given the opportunity to identify issues they would like to have addressed in the Plan.

The unique and fragile environment of Emigration Canyon makes determination of a holding capacity difficult at best. Whereas in most communities, holding capacity is greatly driven by density, the Canyon presents a unique set of criteria to consider.

There are several factors that should be considered in establishing a holding capacity in the Canyon. These include physical and environmental factors of privately owned land such as slope, hydrology, access and soil stability, along with consideration of existing roads, infrastructure

availability, community facilities, and existing land use pattern.

Factors used to determine a holding capacity include the following: Number of existing lots of record under the Lot Consolidation Provision of the Foothills and Canyons Overlay Zone, current zoning requirements for development, developable area under the Foothills and Canyons Overlay Zone, impact of traffic systems, provision of county services, etc.

The establishment of a Canyon holding capacity may also change considerably with the introduction of a canyon-wide water system. The development of a sewer system along Emigration Canyon Road would also affect the number of residences built. In the event that no canyon-wide water system is installed, the continued use of septic systems alone will adversely affect water quality and reduce the total development potential of the Canyon. It should therefore be understood that any holding capacity that is established is intended for a general reference and applicable only under current conditions in the Canyon.

Issues to be considered in determining residential holding capacity:

- Existing lots of record.
- Two (2) or more contiguous lots under common ownership, for possible consolidation.
- Developed or undeveloped.
- Total acreage of lots.
- Existing Zoning.
- “Remnant” lots must be at least ½ acre in size to be considered.
- Other development constraints (i.e. slope, stream buffer, access, etc.)

The total lots of record existing in the Canyon were mapped according to the latest available information from the Salt Lake County Recorder’s office. Ownership of these lots were then determined from information from the Salt Lake County Recorder’s office and Assessor’s office. Lines were drawn on maps around lots under common ownership. For example, if there were four contiguous lots each 0.25 acres in size owned by the same person, a line was drawn around all four lots and the total size all the lots was shown, in this case 1 acre. This enabled planning staff to easily view who owned which lots, how many there were, what

size they are, and where they were located. In addition to this information, housing units and other structures were later added to determine where development has occurred. Every effort was made to keep current development counts up to date until publication of this Plan.

The maps were then reviewed and overlaid with current zoning. Using this map information, each lot was reviewed for size, ownership, lot of record status, zoning, and whether or not it was developed or improved. According to the Foothills and Canyons Overlay Zone lot consolidation provision, lots of record within a zone that required a minimum of one (1) acre parcels were calculated as being consolidated up to one-acre increments, subject to ordinance criteria. Parcels at least one-half (½) acre in size were also counted as a consolidated lot. Remnant parcels not equaling one-half acre in size were calculated as though they were combined with another consolidated lot.

For example, if Mr. Jones owned 20 lots of record which were 25 feet by 100 feet in size, his total acreage for those lots is approximately 1.15 acres. If those lots were in an FR-20 zone, under the lot consolidation provision, he would combine those lots to form a new lot that is one acre in size. The “remnant” piece of 0.15 acres is less than one-half acre in size and therefore would be combined to form a 1.15-acre parcel.

If Mr. Jones owned 30 lots of record of the same size, he would then have 1.72 acres. Again, he would combine lots to form a new one-acre lot. The remaining 0.72 acres is larger than one-half acre, and would therefore be counted as another consolidated lot, bringing his total to two (2).

Property owners with multiple acres can divide remnant lots less than one-half acre in size into other parcels as they wish. A remnant piece of property can be added to one parcel, or may be divided among many.

Lots of record less than 1 acre that comply with existing zoning, such as the FR-0.5 zone, need only be combined up to the minimum lot size of the zone. Remnant lots which are less than one-half acre in size must be combined with a consolidated lot(s) that has met the minimum lot consolidation requirement as set forth in the Foothills and Canyons Overlay Zone lot consolidation provision. For example, if Mr. Jones owns lots of record totaling 2.32 acres in the FR-0.5 zone (which requires a one-half acre minimum lot size), he would combine lots

to form four (4) one-half acre lots. The remaining 0.32 acres is less than one-half acre, and would therefore be combined with one, some or all of the other four newly consolidated lots.

Using these guidelines, all of the private property in Emigration Canyon was examined and a general range of the number of possible lots of record was established. This “Gross Potential Density” represented the “high end” of a range of properties in the Canyon. As development constraints are applied, either by planning staff, or development services staff as part of a development application review, this number is reduced. Constraints include existing development, slope, stream buffer zone, ridgeline infringement, access, availability of water (not represented due to lack of data), etc.

The high end of the range of potential lots does not accurately reflect the amount of development that may occur. Gross Potential Density assumes that no constraints other than the lot consolidation provision are applicable.

The lot consolidation figures in the Plan are based on the most accurate and detailed information available at the time of completion. The following information was used to determine lot consolidation figures:

- Lots, property and subdivision lines, sizes, and locations were taken from information from the Salt Lake County Recorder’s Office.
- Existing development information was taken from County plat maps, County Surveyor’s aerial photos, Assessor’s data, Mountain Fuel data, and field studies.
- Slopes greater than 30% were mapped by the Salt Lake County Planning Division using the most accurate topographical information available, as well as site-specific topography provided by engineering firms for individual property owners.
- 100' stream bed and buffer zone locations were mapped based on County plat maps, Federal Emergency Management Agency maps, U.S. Geological Survey maps, site specific engineering plans for individual properties, and field studies.

- 100' ridge line buffer information was produced by the Salt Lake County Planning Division, the Emigration Ridge Line Sub-Committee, U.S. Geological Survey Quadrangle maps, and site specific topographical maps.

All efforts to retain accuracy have been made, however, site specific information is necessary in order to provide exact numbers.

The following results are the tabulation of the range of potential developable lots. The highest number in the range represents a count of all lots of record, excluding lands in public ownership. This count assumes that no development constraints, such as topography, slope, zoning, etc., apply. The count also includes lots which have been developed. The successive counts narrow in number as the following constraints were applied: existing development, slope and stream buffer zone, ridge line protection, and access. Each successive count includes all previous constraints as well.

LOTS OF RECORD - Following the Lot Consolidation provision of the Foothills and Canyons Overlay Zone (No physical constraints applied):

Total after lots of record are consolidated: 1136

EXISTING DEVELOPMENT - (Existence of development on a property does not eliminate the possibility that additional development will occur, provided it can meet current County standards):

Total after existing development is removed: 697

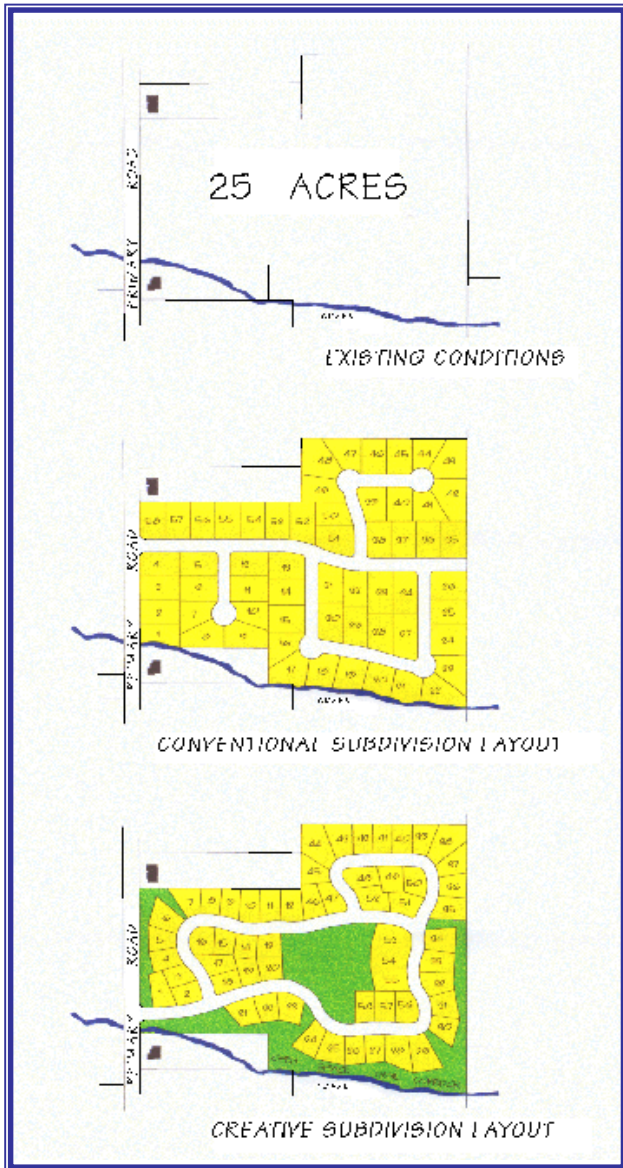
SLOPE AND STREAM BUFFER ZONE - (Properties which may be rendered undevelopable due to compliance with the 30% slope maximum and 100-foot stream buffer zone requirements are offered provisional waivers or other administrative relief):

Total after stream buffer zone is applied: 458

RIDGE LINE PROTECTION - Following the provisions of the Foothills and Canyons Overlay Zone, which requires a 100-foot setback from the crest of a ridge as identified horizontally on a map:

Total after ridge line protection is applied: 452

ACCESS - This constraint considers properties which have no access (Assumes current conditions only; future changes in access to properties will render different results):



Open space is preserved or created when lots are clustered.

Total after lots without access are removed: 422

At the time of completion of this Plan, no feasible means of determining the water right allocations to individual properties existed. Adequate and proper water rights are determined on a site by site basis by the Development Services Division as applications for building permits are received.

It should be noted however, that water for the Emigration Place subdivision is provided by Salt Lake City through a culinary water line. If these properties and other potential properties in Emigration Oaks, which may be reduced in total number, are removed from the count, the number of

potential lots that would require water rights could be reduced by as much as 82. This would bring the total number of lots that could potentially require water to 340.

Low Density Residential

Much of the land is currently used as recreational / open space. It is hoped that in the future a significant amount of the open space areas remain. However, when residential developments are proposed, the policies of this Plan must be considered. Residential neighborhoods and open space areas can exist together and insure compatibility with proper site design review and appropriate densities.

As development in the Canyon proceeds, special steps should be taken to insure that an appropriate amount of land is reserved when possible, for recreational uses, such as trail easements, to serve the anticipated population. Buffering the impacts from recreational uses to residential development, as well as other elements such as wildlife habitat, is important in the areas immediately surrounding the previously approved subdivisions.

All other development restrictions take precedence over the average densities allowed by the zone including geologic constraints, severe slopes, flood potential, or soil hazards policies when they are more restrictive.

Open Space Subdivision Design / P.U.D.

The Plan recognizes the need to identify and preserve open space in Emigration Canyon. In areas where residential development occurs, the type of development most conducive to open space preservation in “cluster housing” development. The cluster housing environment is the most fundamental and enduring form of human settlement. Clustered housing is joined together so that individual units share common facilities and common open spaces. The scale and organization of cluster development creates both a physical and social setting.

There are many reasons why cluster housing is a desirable alternative in the Emigration Canyon Community and many other areas of Salt Lake County when open space is preserved for a specific purpose. Society has discovered the need to understand what scales and densities of housing will

enhance privacy and safety while providing a sense of community.

Traditional suburban development is far too wasteful of land while the areas characterized as rural show minimal impacts to land. Between these extremes is cluster housing, allowing a reasonable amount of development, privacy, and public / private space. Much more social benefit can be gained by aggregating shared open space. Finally, the cost reductions in infrastructure and services, both private and public are beneficial.

By its very nature, cluster housing suggests a greater sense of neighborhood identity than a typical single family suburb, demonstrated when the two are contrasted: cluster versus linear, compact versus sprawl, public versus private, pedestrian versus auto, and community versus individual.

This type of housing is not currently being implemented in the Canyon and should be encouraged. The Salt Lake County Zoning and Subdivision Ordinances should be revised to encourage clustered housing in an environment such as Emigration Canyon. This Plan and the zoning ordinance requirements address and can answer the questions of “how much” and “where”. However, the more difficult questions of “how” and “why” must be addressed. While it is relatively easy to agree on the number of units permissible on a tract, the traditional physical arrangement of the units dictated by the present zoning ordinance and subdivision ordinance often runs counter to the basic objective of preserving rural character and open spaces. These ordinances should offer reasons and incentive to use clustered housing in areas such as Emigration Canyon. Since the zoning ordinance and subdivision ordinance are the legal tools through which community goals are implemented, there must be a direct relationship between this General Plan and Salt Lake County’s land development ordinances.

Commercial Development

The need for additional retail commercial and commercial services are not anticipated within the life of this General Plan. The commercial policies in this Plan reflect the belief that the current balance of population with services in the neighboring city is appropriate.

The Emigration Canyon Community should not be expected to provide or allow the full range of commercial uses typically found in or near suburban areas. The Wasatch Canyons Master Plan recommends that new commercial enterprises should be limited to the commercially zones areas in the Canyon. For commercial goods and services, community residents will continue to depend on the established commercial areas located to the west, such as large grocery stores, entertainment facilities and business centers.



Balance between the natural and man-made environments should be preserved.

Goals

Zoning

Encourage zoning which provides for single family lots in balance with the mountain setting and housing styles in appropriate locations, i.e., clustered subdivision design that utilizes open space design, provides for both larger and smaller homes, and is consistent with community resources and constraints.

Low Density Residential

Locate future residential development in a compatible manner, observing ordinance requirements and natural constraints of the land.

Open Space Subdivision Design

Protect significant open space by encouraging development which incorporates open space design, such as clustered housing.

Commercial

1. Continue residential development with the understanding that the commercial goods and services needs of the Canyon will be served almost entirely by Salt Lake City.

Policies

Zoning

1. Maintain existing zones that protect the unique canyon setting of the area.
2. Retain existing large lot zoning, and consider rezoning of additional properties to large lot zoning.
3. Encourage zoning incentives for subdivision design that promotes interaction between neighbors and a community identity.

Low Density Residential

1. Permit and accommodate well-planned and well-executed development providing single family housing opportunities which are compatible with the canyon environment.
2. Keep the amount and location of future residential development in balance with the provision of appropriate and timely public services and necessary infrastructure.

Open Space Subdivision Design

1. Encourage lower density residential development that is enhanced by open space.
2. Provide incentives, such as density bonuses, to developers that propose innovative site designs which cluster the development and preserve open space.

Commercial

Protect the canyon setting by limiting commercial development to existing commercially zoned areas.

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SEE ZONING MAP

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