



**Eastern Summit County Agricultural Preservation and Open Space
Advisory Committee (ESAP) will meet**

**Thursday, October 24, 2019
6:30 p.m.**

**Location: Summit County Courthouse-Executive Conference Room, 2nd Floor
60 North Main Street, Coalville, UT 84017**

Agenda

Times for agenda items are approximate and may be changed, as circumstances require. Items may or may not be discussed in the order they are listed.

1. Public input for items not on the agenda
2. Discussion regarding the creation of an Eastern Summit County Open Space Master Plan that would act as a guide for reviewing future projects and priorities.
3. Approval of Minutes: May 9, 2019
4. Staff Items
5. Other

Individuals with questions, comments, or needing special accommodations pursuant to the Americans with Disabilities Act regarding this meeting may contact the Community Development Department at (435) 336-3157.

Posted: October 18, 2019
Published: October 18, 2019 *Summit County News*



MEMORANDUM

To: Eastern Summit County Agricultural Preservation and Open Lands
Advisory Committee
From: Ray Milliner, County Planner
Date of Meeting: October 24, 2019
Type of Item: Work Session
Process: Legislative

Recommendation: Staff requests that the Eastern Summit County Agricultural Preservation and Open Lands Advisory Committee (ESAP) review the proposal to create an “Eastern Summit County Open Space Master Plan” and provide staff with direction.

Background

On April 10, 2019, the County Council adopted amendments to the enabling language in the County Code relating to ESAP. Changes generally:

1. Changed the committee’s name from the “Eastern Summit County Agricultural Preservation and Open Space Advisory Committee” to the “Eastern Summit County Agricultural Preservation and Open Lands Advisory Committee.”
2. Created clean-up language with respect to the “Membership” Section 2- 34-3. It removed the requirements that the Community Development Department serve “ex officio” on ESAP.
3. Added clarifying language regarding the terms/appointments of its Chair and Vice Chair.
4. Created a new section, 2-34-4 “Procedure for Grant Issuance and Other Duties. The process begins with a property owner filling out a Notification of Interest form and nominating real property for agricultural land and/or open land preservation. County staff then reviews the form for completeness and schedules the application before ESAP. The property owner makes an initial presentation to ESAP, who may choose to conduct a site visit of the property. Thereafter, ESAP scores the property based upon its established scoring system criteria and makes a recommendation to the County Manager. ESAP is recommending language, consistent with the extraneous policy they have been using, that grant awards are limited to the lesser of \$250,000 or up to 10% of the appraised value (if the grant is for a conservation easement) or, in the case of fee title purchase of property, the grant award is limited to the lesser of \$250,000 or up to 10% of the fair market value of the land. ESAP established these limitations based upon the finite funding in the ESAP budget. However, ESAP has built in discretion to waive that provision on a case-by-case basis upon a finding of extenuating circumstances. They have limited said discretion, stating that in no case shall the recommended grant be

greater than the lesser of \$250,000 or 15% of the appraised value of the conservation easement or 15% of the fair market value of the land, if a land acquisition.

5. Created deadlines on the validity of the grant recommendations, adding language that ESAP's recommendation to the County Manager is valid for twenty-four (24) months from the date of issuance. Once the grant is issued by the County Manager, it is then valid for six months, with a possibility of three, six-month extensions.
6. Added clarifying language regarding the fact that the County Manager is the final authority and added language that says, while the County Manager is the final authority, he also has discretion to notify and meet with ESAP prior to taking direct action on any grant awards.
7. Created language that allows ESAP to make recommendations to the County Manager regarding different methods that land may be conserved for agricultural and open land purposes, such as public/private partnerships, transfers of development rights, and donations.

In addition to these changes, the Committee modified the Notification of Interest (NOI) document required as part of an application for funds as well as the Eligibility and Evaluation Guidelines used during an application review (both documents are attached).

Analysis

The purpose of this work session is to begin discussions with ESAP regarding the possibility of creating an "Eastern Summit County Open Space Master Plan" document that would act as a guide for future Committee applications and decisions. The Master Plan would be used as a broad planning guideline for Committee goals and provide policy statements, and maps to achieve those goals. The document would be used to support the Eligibility and Evaluation Guidelines document when making decisions for applications, as well as provide direction for the long term. Because of the limited amount of money available to the Committee, and the large number of eligible properties, the Master Plan should be the foundation for establishing priorities, and goals for future actions and activities.

Plan Outline

The Master Plan would be set up generally in a similar way to the Eastern Summit County General Plan. Possible outline would include:

1. **Mission Statement.** This would be a summary of the purpose and reason for the Committee's existence, I.E. "to preserve Agricultural Lands, and natural open areas, to prevent suburban sprawl, and promote our agricultural economy and heritage."
2. **Vision.** This section:
 - a. Projects five to ten years into the future. Imagine what would be considered a success for the Committee.

- b. Determines the purpose and position of the Committee. Why does the committee exist? What should be done to achieve its goals and objectives.
 - c. Describes what success looks like for the Committee.
3. **Goals and Policies:** Establishes goals and policies that will enable the Committee to achieve the vision and mission statement listed above.

Goals could mirror the Eligibility and Evaluation Guidelines adopted by the Committee in 2017, for example: Guideline #5 states, “Does the preservation of the parcel or agricultural operation help prevent or minimize sprawling of residential development?”

A goal in the plan could read: “**GOAL:** Prioritize the preservation of parcels or agricultural operations to prevent or minimize sprawling development.” The goal would then be followed by policies that support the goal, “Work to ensure that parcels or agricultural operations are suitably located in developing areas.”

4. **Identify Key Stakeholders:** As part of the process, it would be important to identify and include key stakeholders in Eastern Summit County, including: The Eastern Summit County Planning Commission, North and South Summit Recreation Districts, Weber Basin Water Conservation District, agricultural, ranching and farming organizations. These organizations can provide invaluable insights when creating priorities.
5. **Maps.** At previous meetings, the Committee reviewed maps of Eastern Summit County with overlays showing critical (wetlands, stream corridors, steep slopes etc.) and agricultural areas. The master plan would feature maps showing priority areas, based on the vision, goals and policies, that would in turn aid in decision making for future applications.

Next Steps

If the Committee determines that the creation of a Master Plan is appropriate staff will create a draft based on direction from the Committee and return at a future meeting for review and comment.

Recommendation

Staff recommends that the Committee discuss the possibility of creating an Eastern Summit County Open Space Master Plan and provide staff with direction.

Attachments

1. Notification of Interest (NOI) document and Eligibility and Evaluation Guidelines
2. Eastern Summit County General Plan

Eastern Summit County Agricultural Preservation and Open Space Advisory Committee (ESAP)

Notification of Interest (NOI) For Agricultural or Open Space Land Preservation

- 1) Address/Location of Property:

- 2) Assessor's Parcel Number (s) (Tax ID#s):

- 3) Total Acreage of Parcel(s):

- 4) Development potential of property (#of lots) under current zoning at base density as determined by the Summit County Development Code in affect at the time of application. (may require lot of record determination application and applicable fees.)

- 5) Property Owner(s) Name and Contact Information:

- 6) Authorized Representative and Contact Information:

- 7) Agricultural or Open Space Land Values: (Explain the reasons you are interested in preserving this property as agricultural or open space land)

Owner(s) signature: _____

Date: _____

Date Received: _____

Eastern Summit County
Agriculture Preservation and Open Space Advisory Committee (ESAP)
ELIGIBILITY AND EVALUATION GUIDELINES

July 2017

Project Name: _____

Date: _____

: **Check each box that applies:**
***In order for an application to qualify, an applicant must meet 8 of the 10 criteria.**

1. Has the applicant followed the review procedures required for the Notice of Interest (NOI) application?
2. Is the property within the AP-40, HC Zone or a Municipal Agricultural Zone?
3. Is the entire property area qualified for a “greenbelt” designation?
4. Are farming or ranching operations present on the land?
5. Does the preservation of the parcel or agricultural operation help prevent or minimize sprawling of residential development?
6. Does the property include or protect critical watersheds, view sheds, water quality, wildlife habitat, stream corridors, woodlands, or historic structures?
7. Will the property contribute to and promote the agricultural viability and open land character of Eastern Summit County?
8. Will all existing water rights attached to the property at the time of application remain with the property to maintain the agricultural use?
9. Is the property at least five (5) acres in size or located contiguous to already preserved agricultural lands or open space or other county open space and will it contribute to or enhance the existing preserved agricultural lands and open space?
10. Does the property serve as a buffer or screening between producing farms and ranches and non-agricultural uses or development?

EASTERN SUMMIT COUNTY GENERAL PLAN

AMENDED AUGUST 13, 2013

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Chapter 1 – Mission Statement and Vision

MISSION STATEMENT

To enhance the quality of life in Eastern Summit County through responsible growth that fosters stewardship of the land and natural resources while balancing private property rights and respecting our rural and agricultural foundation.

VISION FOR EASTERN SUMMIT COUNTY

Eastern Summit County is shaped by a unique mix of rural agriculture, scenic landscape, natural resources, people, and economic trends. The way of life that has sustained Eastern Summit County in the past is evolving and changing. Farming, ranching, timber and mining, although still important, are no longer the primary activities.

Growth is occurring; increasing population and the residential and commercial development that goes with it has created opportunities and challenges that include things such as water and sewer issues, traffic congestion, rural atmosphere, and incompatible uses. As population increases, there will be a need for improved infrastructure and services. There will also be a need for coordination between development in the municipalities and the unincorporated areas.

With all of this change it is imperative that Eastern Summit County create a “road map” that will help guide land use and development, as well as help preserve the quality of life and maintain the unique Eastern Summit County identity. It is our challenge to understand the impacts of growth and make decisions to create the most positive outcome for the future.

The goal of this General Plan is to provide an advisory guide to help direct decisions that will affect development, land use patterns, and lifestyles while maintaining the unique identity and rural atmosphere of Eastern Summit County. The goals and desired actions set forth in this document aim to achieve development that matches the available and/planned infrastructure, that permits historic and new land uses to coexist, and that maintains the open country and opportunities that have become the hallmark of Eastern Summit County living. The plan further seeks to set forth land use and administrative changes that create greater predictability and accountability in the development process.

The Development Code and Zoning Maps will be used to implement this General Plan in a manner that minimizes inappropriate land uses, that prevents over extension of County services, that increases predictability in development, and that helps preserve or protect natural resources as well as scenic and environmentally sensitive areas.

Chapter 2 - Land Use

2.1 **GOAL: Develop land use codes which balance the diversity of desires of Eastern Summit County residents, including private property rights.**

- a. Work to ensure that new development is suitably located to minimize impacts to surrounding areas.
- b. Ensure that all new development has adequate resources and infrastructure to support the proposed intensity of use, and work to ensure that the infrastructure costs of new development are proportionally borne by the developer.
- c. Work to ensure that single-family residential development minimizes disturbance, and is clustered where appropriate.
- d. Encourage new agricultural and residential development that is consistent with the immediate surrounding area. Large agriculture buildings and high-impact animal production operations should not be placed in residential areas; consider the development of a residential zone and other zones as appropriate to separate agricultural and residential uses in locations where higher density development may be appropriate.
- e. Identify existing land uses, land use patterns, agricultural lands, environmental constraints, and other factors as appropriate to aid in land use decisions.
- f. Develop provisions in the Development Code that will allow simple, single lot, land divisions while controlling larger subdivision developments in a way that protects the property rights of the landowners as well as the surrounding neighbors.
- g. Enact ordinances, resolutions, codes and other forms of land use controls to reduce nuisances and land use incompatibilities.
- h. Create, modify, and maintain appropriate zone districts to accommodate a variety of uses while recognizing and respecting existing land use patterns.
- i. Create appropriate and predictable development procedures in the Development Code to ensure that all land use and development is adequately reviewed and determined to be consistent with the goals of this Plan before any approvals are granted.
- j. Proactively forecast the impact of the existing development code and new amendments to understand their impact upon the future buildout of Eastern Summit County.

2.2 **GOAL: Acknowledge the historic rural and agricultural character of Eastern Summit County.**

- a. Recognize agricultural operations as a significant and important use of the land.
- b. Consider those land use patterns and strategies that support and protect existing and future agricultural operations; support the development of tools and programs to allow the preservation of productive agricultural lands. Among others these may include agricultural preservation areas, plat notes and other methods to educate new residents of the agricultural nature of the area, cooperative agreements with landowners, and a program to transfer density from agriculturally productive lands.
- c. Implement “Agricultural Protection and Right to Farm” strategies, and require all non-agricultural activities to develop in a manner that is harmonious with nearby agricultural operations.
- d. Reevaluate and possibly amend the Development Code to streamline the process for designating and modifying Agricultural Protection / Preservation areas.
- e. Coordinate with the Eastern Summit County Agriculture and Open Space Committee (ESAP) and the affected municipalities in the acquisition of conservation easements and/or restrictions to preserve agricultural lands and open space.

2.3 GOAL: Coordinate with the Summit County Landmarks & Heritage Commission on the preservation of cultural resources and heritage.

- a. Provide for the revision of existing and development of new inventories of culturally significant structures, sites, and landmarks within Eastern Summit County.
- b. Consider development of a heritage preservation plan.
- c. Evaluate the need to adopt a local ordinance that would require, at a minimum, documentation prior to demolition or alteration of any structures, sites or landmarks identified in the heritage preservation inventory. If measures beyond documentation are implemented, consider development of funding sources and/or incentives for preservation.

Chapter 3 - Infrastructure / Transportation

3.1 **GOAL: Establish level of service expectations that are compatible with the County's ability to serve different areas of Eastern Summit County, especially the more remote areas.**

- a. Educate existing and future residents regarding service and infrastructure expectations and limitations in Eastern Summit County.
- b. Provide a means by which existing and future residents understand the levels of service that will be provided by the County and other service providers in each zone district or geographic area of Eastern Summit County.
- c. Work with service providers to apply reasonable infrastructure guidelines to be utilized by the County during the development review process, and to forecast future infrastructure needs.
- d. Identify alternate locations for a future landfill and other appropriate County facilities.
- e. Nuclear waste storage facilities and transfer facilities, either wholly or partially within Eastern Summit County, are not appropriate.

3.2 **GOAL: Create and implement transportation strategies to address current and future needs.**

- a. Adopt the Eastern Summit County Transportation Master Plan, as amended, to continue to develop a transportation system that supports the goals of the Eastern Summit County General Plan.
- b. Investigate potential methods to bring existing Eastern Summit County roads up to County standards.
- c. Periodically review the Transportation Master Plan to ensure that the plans addresses the needs of residents including multiple modes of transportation, with focus on safety, infrastructure, and appropriate infrastructure size/width.
- d. Monitor the potential for public transit opportunities.

Chapter 4 - Economic Diversity / Development

4.1 GOAL: Support economic development and diversity to strengthen the economic base of Eastern Summit County, promote the social and economic well-being of the residents, and build community with a strong, diversified, year-round economy.

- a. Where appropriate, permit recreational opportunities that will enhance the quality of life in Eastern Summit County and provide economic development opportunities.
- b. Encourage businesses and activities to provide a range of jobs and opportunities, including those that pay a living wage that can support permanent resident households.
- c. Promote the development of small home based businesses or clean cottage type industries in the Development Code.
- d. Guide growth in a manner that promotes economic development and efficient use of services and permits economically beneficial use of land.
- e. Coordinate with economic development groups as appropriate.
- f. Investigate potential development strategies and possible locations for neighborhood commercial uses.

Chapter 5 - Natural Resources / Environmental Quality

5.1 GOAL: Develop codes and policies that promote proper stewardship of natural resources and address environmental issues of Eastern Summit County.

- a. Ensure that development occurs in a manner and location that protects natural resources, including but not limited to pollution prevention, erosion prevention, national forests, crucial wildlife habitat and corridors, agricultural lands, fisheries, water quality, wetlands, scenic view sheds, riparian areas, wildlife and clean air.
- b. Implement strategies to ensure that there is adequate quality and quantity of water for all new development, and require water conservation and quality plans.
- c. Preserve and create appropriate motorized and non-motorized trails and access to public land in conjunction with the municipalities and US Forest Service. The intention is not to require property owners who live adjacent to the National Forest to provide public access.
- d. Cooperate with State and Federal public land use agencies and other jurisdictions.
- e. Require long-term management plans for all designated open space areas. Pursue an aggressive weed control program that addresses noxious weeds.
- f. Consider the creation of a night-sky ordinance.
- g. Ensure that land is appropriately reclaimed and restored following the conclusion of disruptive activities.

5.2 GOAL: Implement measures designed to promote energy conservation and the development of renewable energy in Eastern Summit County.

- a. Encourage development of renewable resources as a substitute for oil, natural gas, and other limited energy supplies used for electricity generation, and to reduce consumption of these supplies.
- b. Work with appropriate public agencies to permit and approve development of alternative energy.
- c. Consider incentives to encourage green building practices such as LEED or EnergySTAR certification and use of recycled materials.

Chapter 6 - Municipal Coordination and Cooperation

6.1 GOAL: Provide consistent communications and coordination with each municipality in Eastern Summit County to encourage all development, whether within the municipality or within the County, to be appropriately managed.

- a. Encourage cooperative land use planning efforts between Eastern Summit County and the municipalities.
- b. Improve communications between the municipalities and Eastern Summit County by implementing a communication plan.
- c. Encourage development within established annexation overlay areas to conform to the development standards of the declarant municipality as applicable.
- d. Establish policies that encourage growth within declared annexation overlay areas to maximize existing services and infrastructure.
- e. Work jointly with the municipalities to determine if appropriate locations and services are available for industry and business within or adjacent to those municipalities.

Chapter 7 - Moderate Income Housing

7.1 GOAL: Promote a mix of housing types and availability.

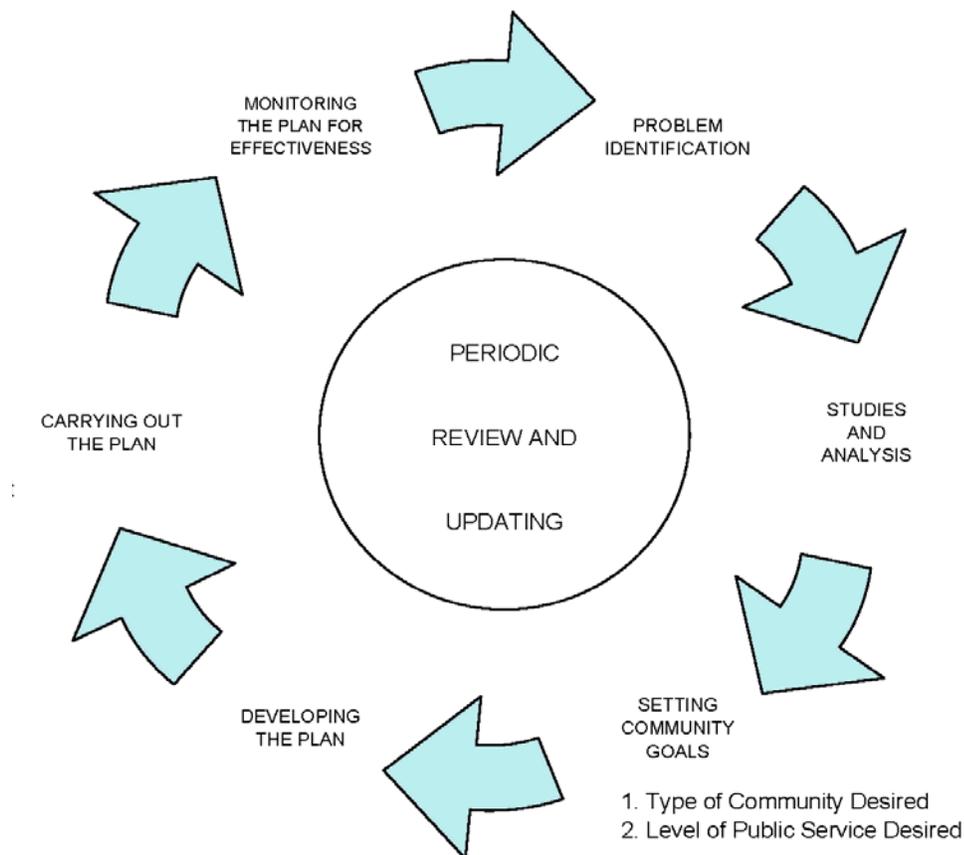
- a. Periodically review and update the Housing Needs Assessment (technical appendix) to ensure that housing needs are identified as they change over time.
- b. Consider mechanisms to provide a realistic opportunity to meet estimated housing needs within Eastern Summit County, including a variety of housing types and affordability.
- c. Consider incentives such as fee-waivers and density increases to encourage private sector development of moderate income housing.
- d. Encourage moderate income housing development close to existing services and infrastructure.
- e. Clarify the intention and development standards for seasonal dwelling units in the Development Code.
- f. Ensure that housing is affordable to households earning 80% of the median income for Eastern Summit County, not the median income as affected by the Snyderville Basin and Park City.

Chapter 8 – Community planning process

8.1 GOAL: Ensure that the Eastern Summit County General Plan is adaptable and balances the needs of property owners and residents.

- a. Provide for the regular review of the General Plan, to occur at a minimum once a calendar year.
- b. Work with residents and property owners to further understand their values and needs. Find new creative ways to solicit input and participation on the general plan, development code, and land use issues from the public at-large.
- c. Plan for orderly and logical growth by utilizing long and short-term studies to predict transportation and infrastructure requirements for the future including general plans for sewage, water, waste disposal, drainage, public utilities and other public services.

Figure 1: Community Planning Process



Resources

Maps:

1. 2013 - Zone Map
2. 2013 - Existing Land Uses (to be adopted at a later date)
3. 2013 - Municipality Annexation Declaration Areas

Technical Appendices

1. 2012 - Affordable Housing Needs Assessment
2. 2013 - Eastern Summit County Transportation Master Plan