



STAFF REPORT

To: Summit County Council
From: Patrick Putt, Community Development Director
Date of Meeting: March 10, 2021
Type of Item: Proposed Temporary Zoning Ordinance Amending the Summit County Code §10-2-10 the Purposes of Prohibiting the Construction of Accessory Buildings in the Snyderville Basin Planning District.
Process: Legislative

Attached please find the draft of a Temporary Zoning Ordinance prohibiting the construction of Accessory Buildings in the Snyderville Basin Planning District. The current Development Code requires a Low Impact Permit for Accessory Buildings that are 2,000-10,000 square feet in size and a Conditional Use Permit for Accessory Buildings greater than 10,000 square feet. There is no maximum size limit for an Accessory Building. There is no limitation on the number of Accessory Buildings on any lot or parcel of land. The Snyderville Basin Planning Commission is currently reviewing Development Code amendments relating to Accessory Buildings. A public hearing and possible recommendation is scheduled for the Snyderville Basin Planning Commission on March 24, 2021. A County Council public hearing is tentatively scheduled for March 31, 2021.

SUMMIT COUNTY, UTAH
ORDINANCE NO. _____

A TEMPORARY ZONING ORDINANCE AMENDING SUMMIT COUNTY CODE §10-2-10 and §10-3-2 TO PROHIBIT THE ACCEPTANCE, PROCESSING, AND APPROVAL OF NEW DEVELOPMENT PERMIT APPLICATIONS FOR ACCESSORY BUILDINGS WITHIN THE SNYDERVILLE BASIN PLANNING DISTRICT.

PREAMBLE

WHEREAS, one of the purposes of the land use regulations pertaining to the Snyderville Basin Planning District “is to assure the managed, proper and sensitive development of land to protect and enhance these desired qualities and the lifestyle that exists” (Summit County Code §10-1-1 D); and,

WHEREAS, one of the goals of the Snyderville Basin General Plan is to identify natural resources and ensure that all development undertaken is compatible and in harmony with the surrounding mountain environment while maintaining ecological balance and protecting the scenic and historic qualities of the basin (Snyderville Basin General Plan, Chapter 5); and,

WHEREAS, there may be several accessory buildings (“Accessory Buildings”) legally constructed under the current land use regulations that are not in harmony with the purposes and goals of the Snyderville Basin General Plan; and,

WHEREAS, the current regulations pertaining to the Snyderville Basin Planning District may not be consistent with the community vision for development of Accessory Buildings; and,

WHEREAS, the Summit County Community Development Department is currently in the process of preparing an Accessory Building land use regulation and presenting it to the Snyderville Basin Planning Commission, which regulation will set forth specific and special criteria and processing procedures for development permit applications and construction of Accessory Buildings within the Snyderville Basin Planning District (the “Proposed Accessory Building Regulations”); and,

WHEREAS, Utah Code §17-27a-504 provides that a county may enact a temporary land use regulation without prior consideration or recommendation from the planning commission, including a public hearing, where the county’s legislative body makes a finding of compelling, countervailing public interest; and,

WHEREAS, such a temporary land use regulation would be in effect for no longer than six months from the Effective Date (defined below), thus allowing adequate time for Summit County (the “County”) to enact the Proposed Accessory Building Regulations through the normal statutory processes; and,

WHEREAS, the Summit County Council, acting as the County’s legislative body, finds it to be a compelling, countervailing public interest to prohibit the acceptance, processing, and approval of new development permit applications for Accessory Buildings within the Snyderville Basin Planning District for a period of six (6) months so as to allow adequate time for the consideration of the Proposed Accessory Building Regulations.

NOW, THEREFORE, the County Council of the County of Summit, State of Utah, ordains as follows:

Section 1. Amendment: The Summit County Code §10-2-10, Snyderville Basin Planning District Use Table, and §10-3-2, General Provisions; Permit Applications, are hereby amended to prohibit the acceptance, processing, and approval of new development permit applications for Accessory Buildings within the Snyderville Basin Planning District.

Section 2. Definition. Building, Accessory: A building or structure which is subordinate to, and the use of which is incidental to that of, the principal building, structure or use on the same lot.

Section 3. Intent. It is the intent of Summit County in enacting this temporary zoning ordinance to provide an adequate period in which to consider the adoption of the Proposed Accessory Building Regulations in order to ensure the appropriateness of development consistent with the health, safety, and welfare of the residents within the Snyderville Basin Planning District.

Section 4. Effective Period. This temporary zoning ordinance shall expire at 5:00 p.m. MST on September 10, 2021.

Section 5. Effective Date. This temporary zoning ordinance shall take effect upon publication as allowed by law.

Enacted this 10th day of March 2021.

ATTEST:

SUMMIT COUNTY COUNCIL

Kent Jones
Summit County Clerk

Glen Wright, Chair

APPROVED AS TO FORM

VOTING OF COUNTY COUNCIL:

Councilmember Wright _____
Councilmember Robinson _____
Councilmember Stevens _____
Councilmember Armstrong _____
Councilmember Clyde _____

David L. Thomas
Chief Civil Deputy