# Che Planning News

January 2020



Walkable, Rural A look at how we can make our rural communities more walkable without breaking the bank with costly infrastructure developments.

Compliance Corner A discussion on 10-9a-511 of Utah State Code, governing nonconforming uses and structures, how we regulate them and what constitutes abandonment.

Land Use Training The Countywide Planning and Development Office will be hosting Land Use training for elected and appointed officials and other city employees on Feb. 11th 2020

Municipal Chip Seal Program Chip-seal season is around the corner, learn what you need to do if your community intends to partner with the County for Chip-Seal in 2020

## Walkable, Rural

#### Budget friendly ways to help make our communities accessible and walkable for all users

Recent survey completed by the Department of Transportation indicates that rural residents strongly desire access to walking infrastructure, with 95% rating sidewalks as more important to their community than major roads, and adequate parking. Further surveys and anecdotal conversations show rural residents want more walkable communities, Health professionals back these desires with science that says making communities more walkable (and removing the stigma of walking) is needed to help fight obesity, particularly in small towns and rural places.

Planning academics and practitioners call for the development of "Complete Streets", roadways designed for all users, pedestrians, bicyclists, motorists, and transit riders. They argue that by making a place safe and enjoyable to walk in, more people will walk. However critics will argue that complete streets are expensive, how are small communities that are balancing narrow budgets supposed to design roadways for all users when we can't even afford sidewalks, and we have to balance the budgets to pay for other basic services? Below we list the budget friendly ways other communities throughout the nation have taken to increase walkability:

Pedestrian Lanes: Like bike lanes, pedestrian lanes are inexpensive and easy to add to wide roads in rural areas, as they only require some paint. By painting a line four or five feet into the pavement you can signal to drivers to slow down, and encourage pedestrians to walk. Emmett Idaho recently installed a 3/4 mile pedestrian lane to help students walk to an elementary school in an area without sidewalks, they added flashing lights, and raised dividers to further divide the pedestrian lane from traffic, even with these added elements the cost was only 1/10 of the cost of adding traditional sidewalks.

Safe Routes to School: In 1969 50% of kids walked or biked to school, today its 15% and that number is dropping. Getting children to walk or bike to school is an important goal to reduce childhood obesity, while reducing traffic congestion and car trips within communities. Eagle Mountain, Utah requires new residential development to provide safe routes to schools, these have been accomplished by building off-street corridors that run to and through parks, and giving density bonuses and/or recreational development credit to developers to offset some of the costs. The Utah Department of Transportation also makes grant money available for communities that want to provide safe routes to school, more information available at www.udot.utah.gov or by contacting Travis Evans, at travispevans@utah.gov

Plant Trees: Street Trees encourage walkable communities because they enclose the road, which has the natural effect of causing drivers to slow down (think about yourself, are you more likely to speed on an open stretch of wide road, or on a street with trees, and cars parked on the side of the road?) Trees also block the sun, rain, and snow, making walking more enjoyable on hot days, and stormy days alike.

Demonstration Projects: Burlington Vermont allows citizens to apply for Demonstration projects, short term, affordable projects used to test if a policy proposal is worth pursuing, and to identify potential downfalls. Selected projects are tested for 2 days, with successful projects moving to a 6 month pilot program to test their merits. Examples include:

- Creating protected bike lanes by using plungers to create a visual barrier along a few blocks of roadway
- Using hav bales and traffic cones to create road bump outs at intersections (to reduce the distance pedestrians need to walk to cross a road), and Median refuges
- Putting up cardboard wayfinding signs
- Painting "pedestrian plazas" in parking lots next to public parks.

These projects are inexpensive with all or nearly all materials able to be moved and reused, and are all together a much cheaper process than an expensive traffic or planning study.

Working with DOT: Highways going through rural communities are known safety hazards, the roadway that moves traffic most efficiently isn't necessarily the safest for pedestrians in towns. This concern is amplified when a state highway cuts through the middle of a community serving as that town's main street, as state highways do in many places in Cache Valley. An example of a community that confronted this issue head on is Grand Marais, Minnesota: The community worked with the local DOT to remove one travel lane in each direction through their town, to lower speed limits, and use the extra space to add trees, sidewalks, crosswalks, and benches through their downtown

Visible Crosswalks: Using affordable materials such as paint to indicate to both drivers and pedestrians where to cross a road. These visible reminders signal to drivers to slow down and give priority to pedestrians, and they encourage pedestrians to cross the road in known locations.

Bike/Walk to Work Week: Participate in, and promote the Trails Cache Bike/Walk to work and school week and discover that walking to work and school can be fun.

Yield Roadways: A mixed use space that is open to pedestrians, vehicles and bicycles, with a low speed limit (typically under 20 mph) or where there is limited traffic volume. This was done to great success in Sisters Oregon, for more information visit: http:// ruraldesignguide.com/mixed-traffic/yield-roadway

## Compliance Column

#### Nonconforming Uses and Structures, Title 10 Chapter 9a Section 511

t is possible that when we adopt or amend zoning ordinances that uses or buildings that were once allowed no longer are. Examples of this include an agricultural operation that is no longer a permitted use when the property is rezoned to residential. Another example from Salt Lake is the 4th South Jimmy Johns sign, originally permitted for an ice cream shop, its size would deem it a non-permitted use today, but as the property owner has continued to use it and has made no physical alterations to it, it is able to continue to be used today. Any structure (or use) that was permitted originally may be maintained as a nonconforming use or noncomplying structure according to 10-9a-511 of Utah Code. The following items should be considered when dealing with nonconforming structures and uses:

- Use may be continued so long as no structural alteration of the building is made
- Addition of solar energy device doses not count as an alteration
- Nonconforming uses (except billboards) may be terminated by providing a formula that establishes a reasonable timeline during which the owner can recover or amortize the amount of their investment
- Abandonment of the use terminates a nonconforming nature of a use
- A Municipality may not restrict the reconstruction of a noncomplying structure damaged or destroyed due to fire or other calamity
- A municipality MAY prohibit the reconstruction if a structure is allowed to fall into disrepair, and or if it is voluntarily demolished (or largely demolished)

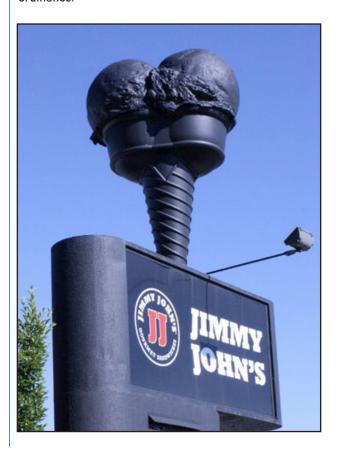
A key term to remember when dealing with nonconforming uses and structures is ABANDOMENT, state code defines this as:

- The majority of the primary structure associated with the nonconforming use shall been voluntarily demolished without prior written agreement with the municipality regarding an extension of the nonconforming use: OR
- The use has been discontinued for a minimum of 1 vear: OR

The primary structure associated with the nonconforming use remains vacant for a period of one year.

A property owner may rebut the presumption of abandonment, but has the burden of establishing that nay claimed abandonment has not occurred.

A Municipality may only terminate the nonconforming statues of a school district or chapter school use when the property associated with the school ceases to be used for school purposes for a period established by ordinance



### Land Use Training

The Countywide Planning and development office is pleased to announce that we will be holding Land Use training on February 11 2020 at 8:15 AM. The training will be held on the ground floor of the County Administration building in the multipurpose room 109.

The training will focus on

fundamentals of planning, and differentiate between the different planning roles elected officials, planning commissioners, and city staff may be required to take on:

- **Executive Actions**
- Legislative Actions
- Quasi-Judicial Actions

We will discuss the different decision making calculus's that

decision makers must navigate, and there will be time after to ask questions, and to learn more about what services the Countywide Planning and Development Office may provide to communities of the valley. Please RSVP, and direct any questions to:

Tayler.Jensen@CacheCounty.org

## Municipal Chip Seal Program - 2020

The Cache County Roads Department would like to inform you of key dates, and requirements for participating in the Chip-Seal Program

utside it may be cold and snowy, and the most pressing public works focus is currently on keeping the roads clear of snow and ice, but it's also nearly time to plan for the summer chipseal season. The County Roads department would like to make municipalities of the valley aware of key dates for any community that wishes to partner with the county for chip-seal in 2020. Those dates are:

- March 18th County will accept new service requests. Should include map, and rough calculation of oil required, road information such as Radius, cul-de-sacs, roundabouts, and other unique road variations
- April 15th All Requests for services due (County does operate on a first come first serve basis, so submit earlier rather than later)
- May 1st Cache County Road Division will send out interlocal agreements to chosen municipalities with estimate cost and work dates
- May 15th -Signed Interlocal Agreements due back to Cache County

All the information and forms your community needs to make an application for chip-seal assistance can be found on the roads department website at https://www.cachecounty.org/road/

The roads department would like to remind communities that due to the logistics of purchasing and shipping oil, there will be a minimum order of 35 tons and a maximum order of 140 tons, and all requests must be made in increments of 35 tons.

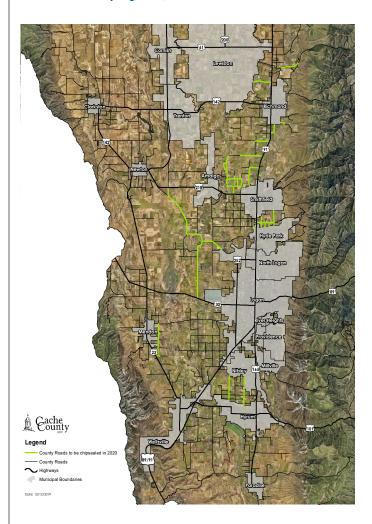
rocess: After a community's chip-seal project is approved a county representative will arrange for a Pre-chipping meeting, to be held within a week of chipping beginning. The meeting will include a project overview, and an onsite visit to the chipping location. Project roads need to be prepped in advance of this meeting, ensuring that pot holes, and other issues that will affect chip seal are completed, including trimming of low hanging trees, shrubs and weeds.

In addition to this pre-chipping meeting, cities should plan on fulfilling the following list of requirements prior to the day the chip-seal begins:

- Roads swept and cleaned of debris
- Man-holes covered
- Roads to be chipped marked with white paint showing starting and ending points
- Streets clear of vehicles, garbage cans, and other obstacles
- A city representative is on site at the beginning

- of the chipping to answer questions pertaining to the chipping.
- Failure to meet these requirements may cause a delay or cancelation of chipping within the municipality.

A full list of responsibilities may be found at: https://www.cachecounty.org/road/



In addition to providing chipping services to Cache Municipalities, the above map illustrates County Roads that will be chip-sealed in 2020.

Feel free to direct any additional questions or concerns to, Joel Merritt the County Roads Foreman, he may be contacted with any questions or concerns at (435) 755-1560 and Joel.Merritt@CacheCounty.gov