
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: December 9, 2010

SUBJECT: **City Council Formal Action**
regarding a Parley's Historic Nature Park
Management Plan

AFFECTED COUNCIL DISTRICTS: Located in the County, owned by the
City

STAFF REPORT BY: Jan Aramaki

**ADMINISTRATIVE DEPT.
AND CONTACT PERSON:** Rick Graham, Public Services Director;
Emy Storheim, Open Space Manager;
and Sharen Hauri, consultant

NOTICE REQUIREMENTS: Regular public notice for agenda

On Tuesday, December 7, 2010, the City Council continued their discussion and took additional straw polls regarding a proposed management plan for Parley's Historic Nature Park (PHNP)¹. One of the straw polls indicates the Council's support to adopt an ordinance to formally designate the off-leash areas of PHNP into City Code and to include the Council Policy statements as part of the ordinance. As per Council's straw poll, ordinances and motions have been prepared for the Council's consideration.

The next step for the Council on a proposed management plan for PHNP is to take formal action on Tuesday, December 14, 2010.

Council staff has prepared the following potential motions for the Council's consideration.

POTENTIAL MOTIONS:

The potential motions are in ***bold italics***. A brief explanation of each motion follows each motion. Formal action taken by the Council will close out the Council's motion made on July 17, 2007.²

¹ Refer to Attachment I: list of Council's completed straw polls.

² Refer to Attachment II: July 17, 2007 City Council motion.

1. *["I move that the Council"] Adopt an ordinance enacting Section 15.04.145, Salt Lake City Code, to add Parley's Historic Nature Park to the list of parks, playfields, and golf courses.*

This motion adds Parley's Historic Nature Park to the list of City parks, playfields, and golf course section of City Code.

2. *["I move that the Council"] Adopt an ordinance amending Section 8.04.390 and Section 15.08.070, Salt Lake City Code, to designate and authorize dog off-leash areas in Parley's Historic Nature Park.*

This motion would officially adopt the off-leash designation for portions of PHNP into City Code.

In January 2007, the Administration presented their recommendation to the Council for approval of off-leash designation for PHNP. The Administration reported that guidelines outlined in Resolution No. 52 of 2004 (approving modified process and evaluation guidelines regarding the City's Dogs Off-leash Program) were completed. On July 17, 2007, the City Council considered the Administration's request, approved the off-leash designation for PHNP through a motion with conditions that included further review. An ordinance that officially designates PHNP as an off-leash area is now before the Council.³

3. *["I move that the Council"] Adopt an ordinance enacting Chapter 15.10 establishing use and management rules for Parley's Historic Nature Park.*

This motion would officially adopt into City Code the Council's policy statements that were developed from the straw polls taken by the Council during their discussions for PHNP.

4. *["I move that the Council"] designate the south side of Parley's Creek in the park as:*

- a. *allowing dogs on leash on trail*
- b. *allowing dogs off leash on trail*
- c. *a dog off leash area, allowing dogs to run free both on and off the trail.*
- d. *not allowing dogs on the south side of the creek with the exception of on leash from the East Tanner Park entrance to the bridge.*
- e. *not allowing dogs on the south side of the creek with the exception of off leash from the East Tanner Park entrance to the bridge.*

There is an uncertainty how the Council wishes to address the south side of Parley's Creek in PHNP. The Council may wish to consider the following potential motion with five options to choose from. Prior to making this

³ Refer to Attachment III: Resolution No. 52 of 2004 approving modified process and evaluation guidelines developed by the Public Services Department regarding the City's Dogs Off-Leash Program.

determination the Council may wish to request that the Administration clarify the definition the Administration would use for “dogs off leash on trail.” It is not fully clear whether the expectation would be for the dogs to stay on the actual trail or whether dogs would be considered “on trail” if they are within 20 or so feet of either side of the trail.

5. *["I move that the Council"] eliminate the 2870 East access point into PHNP for all users.*

This means that the 2870 East access point into PHNP currently being used informally by the public would be closed. This is the entrance into the park that has been creating parking challenges for the surrounding neighborhood. This would leave two main access points into the park: Entrance 1) access from the east parking lot of Tanners Park; and, Entrance 2) Parley's Trail access from the east side of I-215.

LEGISLATIVE INTENTS

Council staff has prepared six legislative intents⁴:

1. It is the intent of the City Council that the City work with BMX users on issues regarding access to water, signage, stream buffer locations, placement of storage space, vegetation and hillside preservation and restoration.
2. It is the intent of the City Council that the City begin the process to annex Parley's Historic Nature Park into Salt Lake City.
3. It is the intent of the City Council that the Administration return to the City Council with options to develop a user fee for Parley's Historic Nature Park to help cover costs of maintenance, education and enforcement.
4. It is the intent of the City Council that the Administration return to the City Council with options regarding staffing to provide education and enforcement during park hours and to work with County Animal Services, Salt Lake City Police Department and County law enforcement to provide after hours enforcement.
5. It is the intent of the City Council to urge the Administration to evaluate opportunities for funding sources such as agency partnerships, grants, and

⁴ Attachment IV: One of the City Council's straw polls supports Attachment IV. These park goals have been incorporated into Legislative Intents 4, 5, and 6 and others were incorporated as part of the proposed ordinance listed in Motion No. 3. Council staff could not readily identify ways to change the following park goals into ordinance language, but will await suggestions from Council Members:

- Formalize monitoring and adaptive management: scientific studies to develop monitoring baselines; implement best management practices; manage users based on data; multi-agency coordination.

private sponsorship.

6. It is the intent of the City Council to urge the Administration to evaluate opportunities to establish conservation easements.

*The following information was provided to the City Council at the December 7, 2010 briefing.
Information is being provided again for Council's reference.*

On Tuesday, November 9, the City Council continued their discussion and took additional straw polls regarding a proposed management plan for Parley's Historic Nature Park (PHNP). Council staff compiled the straw polls taken by the Council from their last three discussions into one document (see Attachment I).

Straw poll No. 16 involved a Council discussion held on November 9 that was focused on "social trails." The Administration has since provided the following definition of "social trails" for the Council's information which will be included in the Baseline documentation for the PHNP management plan.

Social Trails - Unplanned paths that were not created or approved by park managers are often called "user-created trails" or "social trails." These unofficial trails often start as a small path cut through vegetation by wildlife or people and grow wider and more defined with more use. They are often shortcuts, but sometimes they are the opposite, leading people off-course from desired destinations. They are often found along trail switchbacks, stream banks, and around high use areas, such as picnic areas and trail intersections. User-created trails lead to many other, more difficult problems including, erosion, compromised water quality, loss of vegetation, disturbing wildlife and habitat, weeds, confusing trail systems, illicit or dangerous use, and unsafe travel.

The Council may wish to discuss options to pay for educational and enforcement efforts as per the following Council Policy Statement:

"It is the Council's intent that education and enforcement are provided through staffing during park hours, recognizing the need for after hours enforcement and collaboration with Salt Lake City Police and Salt Lake County law enforcement, as well as physical barriers at the discretion of the Administration."

A Council Member mentioned the discussion of fees associated with PHNP would be a budget discussion apart from the PHNP management plan.

Additional potential straw polls for the Council's consideration include:

1. Does the Council wish to further explore establishing fees for use? Options may include: an annual user fee; city resident fee; non-city resident fee; professional dog-walker fee; higher fee for more than one dog per household; staffed booth at main entrance; or contribution box rather than a fee.
2. Does the Council wish to leave the conversation about whether to charge fees until the question of annexation has been investigated further?

3. Does the Council wish to further explore other ways to control use and conflicts, such as designated off-leash days, odd-even days, etc.?
4. Does the Council wish to further explore periodic closure of various areas for maintenance and/or to allow times for wildlife to breed/nest, etc.?

NEW INFORMATION FROM THE ADMINISTRATION:

The Administration was asked to provide additional information that the Council should be aware of, such as important points and potential conflicts, prior to the Council's consideration of this issue. New information from the Administration is as follows:

1. The City should follow the developed and adopted Riparian Corridor Ordinance designed to protect Parley's Creek and river resources that run through the City. As park property owners of PHNP, even though it is located in Salt Lake County, the City should manage its property to the same standard and care outside the City boundary.
2. The Administration expressed concern about a potential 303-d impaired waterway listing for E-Coli on Parley's Creek by the Department of Water Quality. The Administration recommends this potential problem be addressed to avoid delaying the improvement of water quality and to provide the best environmental stewardship over the PHNP property.
3. The recently completed Public Utilities Riparian Corridor Stream Study Report for Parley's Creek provides the recommendation to restore impacts to the riparian corridor (estimated cost of \$360,000). The report bridges the base findings of the Riparian Corridor Study and the PHNP Management Plan to maintain consistency between the plans.
4. The paved Parley's Trail that runs through PHNP is the responsibility of the County. The Administration is aware that the County plans to aggressively manage and enforce trail use rules. Because the trail is considered a transportation corridor for walkers, runners and bicyclists, dogs are required to be on-leash. The Administration would like to bring to the Council's attention that if dogs are permitted to be off-leash on both sides of Parley's Trail, dog owners will experience challenges in keeping off-leash dogs from Parley's Trail. This has the potential to create a user conflict that will place the County in a difficult position in their enforcement efforts.
5. Since PHNP is located in the County, the City will be subject to the County's applicable land use ordinances and regulations.
6. The City has the same user rights as any other private property owner in the County.
7. The City would be subject to the County's applicable land use ordinances and regulations.
8. The City can allow off-leash dogs on its own property without authorization from the County.
9. State annexation statute requires an annexation petition be filed by the property owner. Since the Mayor has the authority to buy and sell City-owned property, presumably the

petition would be signed by the Mayor. Annexation is a legislative decision for the Council.

The following information was provided to the City Council at the November 9, 2010 briefing. Information is being provided again for Council's reference.

On Tuesday, October 12, the City Council continued their discussion on a proposed management plan for Parley's Historic Nature Park (PHNP).

The Council discussed whether regulations should be considered for the BMX area. Following the Council's discussion, the consultant and Administrative staff visited the BMX area to review the area and noticed the extent of impacts from BMX is somewhat limited to their area, as well as the diverted sprints. They also noticed extensive damage down steep slopes on the south side of the creek adjacent to the BMX area and it appears to be due to off-leash usage.

The BMX group has provided a map that illustrates how BMX bikers utilize the area and outlines their key jumps (Attachment A). In addition, a document from the BMX users is attached; they support preservation of the sensitive hillside area including existing hillside vegetation. The BMX users express that:

- BMX users have an interest in having the City provide water for the jumps in the form of a cistern system⁵ or a waterline. Jumps are currently maintained with existing water source from the springs to pack the jumps to make them usable. BMX riders would be willing to have vegetation on all sides of the jumps, except the takeoff and landing area, if there were enough water to irrigate this;
- BMX riders access the site from the west side access road and they recommend- signage to direct BMX users in this direction – interest in accessing the area to avoid harming the hillside or stream stabilization efforts;
- BMX riders have an interest to work with the City to come to an agreement regarding a stream buffer;
- BMX users have an interest to reseed areas between jumps with native grass and have been planting cottonwoods between the jumps;
- BMX users have an interest to work with City to have a lockbox in place to store tools and equipment; and
- BMX users have an interest to protect the sensitive hillside area along the stream and propose installation of a fence to limit access to water in the area of the jumps.

In addition, the consultant and Administrative staff looked at the creek corridor during this site visit to identify a reasonable third access point and concluded that expanding the west access point was the most feasible, safest and least damaging option.

In addition, in response to the Council's discussion on how the wetlands and springs should be treated in the management plan, the project consultant team has provided additional recommendations to maintain a 50 foot buffer at spring/wetland locations (Attachment B). The Council's straw poll was to ***"buffer, preserve, and protect springs using boardwalks, 25 to 50 foot buffer zones, signage and/or trail realignment"*** around spring/wetland areas. The new maps that reflect Council's input shows these recommendations (Attachments C, D and E).

The City Council conducted additional straw polls on various policy issues relating to PHNP.

⁵ A receptacle for holding water or a tank for catching and storing rainwater.

Council staff reviewed the Council's straw polls taken on October 5 and 12 work session and identified the degree to which the straw polls are similar to the eleven (11) major recommendations included in Alternative D3.

(Refer to Attachment I for a compilation of final straw polls).

*The following information was provided to the City Council at the October 12, 2010 briefing.
Information is being provided again for Council's reference.*

On Tuesday, October 5, the City Council held a follow-up discussion on a proposed management plan for Parley's Historic Nature Park (PHNP). The Council expressed interest and held a discussion regarding annexing PHNP into the City. The Council urged the Administration to explore annexation. The issue of annexation is in keeping with the Mayor's Alternative D3 proposal.

In addition, the City Council conducted a straw poll on various policy issues relating to Parley's Historic Nature Park (PHNP). Refer to Attachment I for a compilation of Council's straw polls.

*The following information was provided to the City Council at the October 5, 2010 briefing.
Information is being provided again for Council's reference.*

Council staff has compiled an inventory list of the key points associated with the Mayor's proposed recommended Alternative D3 proposal, key points from the other proposed alternatives developed by the stakeholder's group, and other policy issues.

Mayor's Recommended Alternative D3 Proposal	
Key Recommendations	Details of Recommendation
1. Remove on-leash restriction from main entry trail from Tanner Park	As part of the Council's 2007 motion, this was agreed upon to remain on-leash until an alternate on-leash entrance can be established through the proposed management plan. There are four access points for dog owners (one from Tanner Park as off-leash; however two associated with Parley's Trail and to the south are on-leash)
2. Create off-leash play areas comprised of 12 acres	Includes two stream access play areas at east and central locations, two large off-leash areas at east and west locations, and 2.04 linear miles of off-leash trails.
3. Allow off-leash use on trail after it is relocated outside of Parley's Creek corridor and vegetation and habitat along creek.	Provides 2.04 miles of off-leash trails Provides 0.26 miles of on-leash trails plus 0.95 miles along Parley's Trail for a total of 1.21 miles of on-leash trails

<p>Limits trail usage and limits access along south side of Parley's Creek to protect habitat, springs, and restored vegetation. East half of trail south of the creek is closed to everyone (safety issue). West half of trail south of the creek is open to users, but closed to dogs.</p>	<p>Changes 0.53 miles of trail system to a preserve trail where dogs are prohibited</p> <p>Is the Council in agreement that there are sensitive/impacted areas of the park that require on-leash restrictions?</p>
<p>4. Redesign BMX area to meet riparian corridor standards and park restoration goals.</p>	<p>Involves moving the BMX area back from creek with a no-build buffer zone.</p> <p>Maintain boardwalks over wet areas and remove the "canals" that BMX users have created to direct water into their park to help build jumps.</p>
<p>5. Restore eroded user-created trails and culverts</p>	<p>Involves closing and re-vegetation. These trails would be permanently closed.</p>
<p>6. Remove trails north of Parley's Trail</p>	<p>There were one or more small trails near the highway, occasionally used for off-leash walking. Portions of these trails have been demolished as a result of Parley's Trail construction. Other sections are near to Parley's Trail and are somewhat redundant. Off-leash use is not recommended because it is near an on-leash trail.</p>
<p>7. Protect wetland and historic area by limiting access and restoring features</p>	<p>Designates a 7 acre wetland and historic structure protection area.</p>
<p>8. Protect nature preserve area on south side of Parley's Creek by limiting access and restoring vegetation</p>	<p>Springs and seeps and the unique vegetation are proposed to be protected. .</p>
<p>9. Open south trail to east bridge for on-leash access once no parking rule and on-leash rule are enforced</p>	<p>Trail allows neighbors to access. Recommendation is to allow on-leash use with enforcement allowing neighbors to access the park from this point, impacts to natural area are minimized. Work with the County to approve and enforce no parking at this trailhead. Becoming a neighborhood only trailhead is intended to reduce conflict, traffic, and crime.</p>
<p>10. Annex park into City and acquire UDOT in-holding</p>	<p>Proposes to simplify enforcement within the park and allow the City full control of the</p>

	UDOT property. However, at a recent County Council meeting, Unified Police Department indicated annexation would not help to minimize crime for property owners living near the park – in their view, problems associated with the park will still impact neighborhood.
11. As a policy decision, apply Riparian Corridor Ordinance to PHNP to protect and limit disturbance and plant appropriate vegetation.	Emphasizes riparian restoration and protection for at least 4.7 acres. (The entire corridor, shown on the map is 13.4 acres. Phase one of the riparian restoration would focus on 4.7 acres most impacted and used today.) Also includes no disturbance within 25 feet and limited structures between 25-50 feet from riparian buffer restoration zone from the stream on each bank which complies with the City's Riparian Corridor Overlay ordinance (this would not be actual application of an ordinance, but application of the policies contained in that ordinance)
12. Relocate trails outside of Parley's Creek Corridor and restore vegetation and habitat.	Sections of trail are near the creek. Constant travel "back and forth" from the trail to the water has severely eroded the banks, trampled tree roots and destroyed important vegetation. The trail would be moved far enough away to protect riparian vegetation and would have a fence or other barrier preventing this "back and forth" impacts.
13. Plan does not restrict shooting the tube	The tube begins on County property and falls under County jurisdiction.
14. Plan enforces the rules developed for the park years ago such as "dog owners must take precautionary measures to ensure dogs do not disturb wildlife and sensitive environmental areas like streams, ponds, and historical areas (which have not been followed or enforced).	Occurs due to lack of knowledge of park rules, signage, fences or clearly marked areas for dog owners to take precautionary measures. Public education about wildlife and sensitive areas can increase stewardship and appropriate use of area.
15. Identify additional off-leash areas in the City and County.	Is the Council interested in encouraging the County to identify more areas?
16. To ensure park rules are followed, adaptive management strategies ("try to see what works") are recommended and are adjustable to various situations. Adjust strategy by identifying what is trying to be achieved, such as, minimizing damage to:	Steps include: First, education, signage and "soft" patrol (rangers giving advice; Second, if not successful, issue citations; Third, if not successful, redesign, fence off areas or reallocate resources; and

natural resources, conflict amongst users, maintenance costs, etc.	Fourth, if not successful, adopt use controls to minimize user conflict (such as odd-even days)
17. On-leash for Parleys Trail	All alternatives recommend on-leash for Parleys Trail
Policy Issues Identified in Other Proposed Alternatives Developed by the Stakeholder's Group	
1. Maintain existing recreation patterns	<p>Concept A</p> <p>All trails and areas open to off-leash dogs, unlimited access to creek, no buffer of BMX area from creek, unlimited recreation use and few conflict controls.</p>
2. Restore riparian corridor while maintaining current recreation patterns other than creek access.	<p>Concept B</p> <p>Close riparian corridor for restoration and move trails out of corridor to comply with Riparian Corridor ordinance.</p> <p>Provides access to two existing pools.</p> <p>All trails off-leash, but use more restrictive because confined to trail itself in natural areas.</p> <p>Outside riparian corridor mitigate resource degradation as problems arise, and minimal recreation restrictions.</p>
3. Restore riparian corridor and sensitive lands. Maintain current recreation to greatest extent possible.	<p>Concept C</p> <p>Riparian corridor, wetlands and springs closed for restoration and trails moved; designated creek access for both people and dogs; designated off-leash areas more restrictive; BMX use continues but buffered from creek. Protection area around hillside springs. Trails off-leash in natural area and on-leash in protection and preserve areas.</p>
<p>4. Restore riparian corridor and sensitive wetlands and springs and relocate trails. Designate creek access points for people and dogs wading.</p> <p>Protection area around historic sites, wetlands, and hillside springs with on-leash use only permitted.</p> <p>Use confined to trail. Request to follow "leave no trace" principles and keep visitors and dogs on trail. At many spots, the trail is 20 feet wide.</p>	<p>Concept D1 and D2</p> <p>Reinstate nature park character to portions of park and support off-leash use. Improve the overall ecosystem to restore biodiversity.</p> <p>Concept D1 -- Designated trail off-leash areas more limited. Off-leash permitted in off-leash areas but not in sensitive areas that are protected.</p> <p>Concept D2: All trails on-leash</p>

<p>5. Split park into nature preserve area and recreational area that allows dogs off-leash.</p> <p>Designated creek access points for people and dogs wading with adjacent designated off-leash areas.</p> <p>Permanent closure of east end to create preserve with no dogs and limited human access.</p>	<p>Concept E1 – recreation trails proposed to be off-leash just beyond east of BMX area</p> <p>Concept E2 – all trails on-leash</p>
<p>6. Recreate park as a nature preserve focused on improving the ecosystem and biodiversity to maximum achievable in urban setting.</p>	<p>Concept F</p> <p>Involves permanent closure of majority of park to all non-essential use. Invest heavily in restoration.</p> <p>Eliminate current recreation and trail use from park.</p> <p>Allow trail use for stewardship and education only with no dogs allowed.</p>
<p>Other Potential Policy Issues for the Council's Discussion</p>	
<p>1. Is the Council interested in Council staff exploring implementation of a user fee?</p>	<p>Reduce numbers in the park, create a funding mechanism to help address long-term management implementation plans, and address equity between City tax paying users and users from outside the City.</p> <p>Council staff has gathered information from other cities and will summarize that information for the Council prior to Tuesday's Council meeting for discussion or at a future meeting.</p>
<p>2. Is the Council interested in Council staff exploring on/off days for off-leash use?</p>	<p>Potential to minimize volume of visitors on certain days of the week and may reduce conflict between different users.</p>
<p>3. Is the Council interested in Council staff exploring implementation of park ranger or host?</p>	<p>Enhance education and instill accountability regarding protection of sensitive areas, wildlife, and compliance with dog park rules, etc. A positive outreach presence on site can help to educate the community to understand, value and observe restrictions.</p>
<p>4. Would the Council like to have a briefing from experts in hydrology, wetlands, vegetation and habitat, cultural resources and recreation and/or State of Utah, County and City water quality experts?</p>	<p>Provide a better understanding of current water quality.</p>

5. Does the Council wish to invite Salt Lake County to an upcoming briefing to talk about their concerns with issues associated with the park such as crime, parking, water quality, etc.?	Provide an opportunity to collaborate with the County. County representatives have expressed concerns about parking in the neighborhood, over-all neighborhood impact, crime, etc. They have indicated they have some suggestions as well.
6. Arthur Morris PhD, Ecologist/Conservation Stewardship Director of Utah Open Lands plans to have his riparian team visit PHNP on the week of September 27 th and plans to provide a short summary of their suggestions.	Arthur Morris has reviewed, commented and provided feedback on the Mayor's recommended Alternative D3.
7. Does the Council wish to support future funding to address enforcement needs identified in the proposed management plan?	It is the consensus of public and stakeholder committee that enforcement is the #1 need for this plan.
8. Is the Council interested in exploring whether the zoning should be changed to a zone that more accurately represents its stated purpose, open space?	PHNP is zoned in the County as single-family residential (R- 1-8 and R-1-21). Rezoning would be a process through Salt Lake County.
9. While PHNP is in Salt Lake County jurisdiction and subject to County ordinances rather than City ordinances, does the Council wish to identify policy issues that have surfaced in this discussion that could be used to update the City's open space and riparian corridor ordinances?	
10. Does the Council wish to discuss a conservation easement or other conservation tool, such as a deed restriction?	Ensure long-term conservation as recommended by proposed plan.
11. Council Members Martin and Penfold have met with a group of stakeholders and Council Member Christensen may join future meetings.	Council Members Martin and Penfold may have an update on issues raised by this informal group.

The following information was provided to the City Council at the August 17, 2010 briefing.
Information is being provided again for Council's reference.

BACKGROUND

ACTION BEFORE THE CITY COUNCIL (RESOLUTION AND ORDINANCE)

The Council requested, funded and authorized the development of a Management Plan for Parley's Historic Nature Park (PHNP) in 2007 when they addressed the request for the Park to become an off-leash area. The motion to establish the PHNP as an off-leash area was adopted "with the understanding that modifications may be based upon the findings of the short-term interim management plan and upon the long-term bindings of the master plan/management plan developed later." That long-term plan is now before the Council.

The plan is subject to City Council approval, per the motion adopted in 2007. The Administration has been responsible for developing the plan and elected to work with a consultant who conducted a community process to gather broad public input.

The Council specified that the plan would recommend long term preservation items including but not be limited to:

- a. Protection of environmentally sensitive areas off main trails;
- b. Protection and management of stream beds;
- c. Identification of boundaries for a recognized BMX area;
- d. Protection and preservation of wetlands;
- e. Planning for main "junction" areas likely to be heavily trafficked and other issues relating to the varying intensities of uses around the park; and
- f. Enforcement of closed areas and other park rules.

As part of the plan, eight alternatives were developed defining trails, active recreational areas, passive recreational areas, off-leash dog areas, natural areas, protection areas, restoration areas, and preservation areas. The Administration is recommending a revision of Concept Dⁱ (Alternative D3) for the Council's consideration.ⁱⁱ

The Council's tools for consideration of this issue include a resolution adopting a plan (the Council may select any alternative, or modify the plan), and an ordinance formally specifying areas to be designated off-leash in PHNP. The ordinance will be provided once the Council gives additional policy direction.

KEY ELEMENTS:

In 2007, the City Council adopted a motion to establish off-leash designation for PHNP located at approximately 2700 East and 2760 South that included a condition involving the development of a long-term master plan/management plan, subject to Council approval.

Parley's Creek extends over one-half mile in length and has an average width of 13 horizontal feet within the boundaries of PHNP.

PHNP is a unique natural setting consisting of a 63 acre parcel of open space located in Salt Lake County but owned and managed by Salt Lake City.ⁱⁱⁱ This park has become a popular off-leash area location for dog owners regional-wide because this natural setting provides a wide open space for people to exercise their dogs. Other users of the park: people who enjoy nature, hikers, bicyclists, and BMX bikers. PHNP is maintained by Salt Lake City but violations are enforced according to County code.

In the mid 1970s, the park was created with the help of the local community to assemble and purchase land parcels to create a nature park. At that time, the concept of a dog off-leash area was not contemplated. However, as the popularity and demand for dog off-leash uses increased, the Parley's area became a popular location. The City received complaints about the off-leash use as well as received positive feedback and support from those who wanted to legally use the park for off-leash. In 2004, Millcreek FIDOS organization petitioned, in keeping with City ordinance, to go through the City's process developed to evaluate and designate off-leash areas. A one year trial period as an off-leash park was completed and the Administration supported designating PHNP as an off-leash area. In 2007, the Council authorized the off-leash use with conditions, but indicated changes may be made based upon a subsequent management/master plan.

In response to the Council's 2007 motion to develop a management plan for the park, the Administration contracted with MGB+A The Grassli Group, Inc., a project team of consultants who worked with a 27-member steering committee to help develop and provide input for a proposed management plan. The steering committee consisted of individuals who represent: preservation of wildlife and natural habitat surroundings, surrounding neighborhood, Salt Lake County (animal control, flood control and parks), State History Office, UDOT (Utah Department of Transportation), FIDOS (Friends Interested in Dogs and Open Space), ecology, Sons of the Utah Pioneers, Canyon Rim Citizens Association, Sugar House Community Council, PRATT (Parley's Rails, Trails and Tunnels), Utah Heritage Foundation, Utah Open Lands, Utah Rivers Council, Salt Lake City Bicycle Advisory Committee, Audubon Society, Utah Division of Wildlife, Utah Rivers Council, and City (Watershed, Open Space, Engineering, and Parks). Council staff attended periodically on an observation basis. The stakeholders group played an active role in developing the Baseline Conditions Report and played an advisory role in preparing the Comprehensive Use Alternatives that are key documents in developing the Management Plan that is before the Council for discussion and review. This is a unique plan because it is the City's first management plan developed for an open space area.

Over the last three years, the proposed management plan was developed involving public input throughout the process. The proposed management plan addresses the Council's motion regarding: protection of environmentally sensitive areas off main trails; protection and management of stream beds, identification of boundaries for a recognized BMX area, protection and preservation of wetlands, issues relating to the various intensity uses around the park, remediation and cleanup of

debris, ADA accessibility issues, and establishing an additional entrance to PHNP.

According to the Administration, budgets to implement the plan will be developed once the proposed management plan and one of the proposed alternatives has been approved by the Council. In addition, ongoing efforts will be made in finding opportunities to work with other government agencies, collaborating with enforcement, and finding joint opportunities to provide financial resources.

In keeping with the Council's expressed commitment in their 2007 motion to identify additional areas within the City that can be designated or acquired as off-leash areas, the Administration reports areas currently in process of being evaluated as designated off-leash sites include:

- Pioneer Park (Council District Four), 0.28 acres, has been created, completed the one year trial test period; and will be transmitted for Council to formally adopt into City code;
- Rotary Glen (Council District Six), 3.28 acres, and
- Cottonwood Park (Council District One), 2.96 acres.

On page 70 of the management plan, a map is provided showing the off-leash dog sites within Salt Lake County, a total of eleven off-leash areas. Salt Lake City has created and manages seven of the eleven parks listed.

Option Alternative D3 is described by the Administration as follows:

1. Seeks to simplify and enforce current rules.
2. Supports multiple uses (such as: hiker, off-leash dog walkers, cyclists, BMX, and nature enthusiasts)
3. Provides off-leash play areas comprised of 10 acres
4. Provides off-leash trails comprised of 2.04 miles
5. Includes 1.21 miles of on-leash trails (including along Parley's Trail)
6. Preserves 0.53 miles of trail system where dogs are prohibited
7. Provides 2 stream access play areas at east and central locations, which allow off-leash dogs.
8. Seeks to protect the natural and cultural resources:
 - a) emphasizes riparian restoration and protection for at least 4.7 acres, which includes a 50-100 foot riparian buffer restoration zone from the stream on each bank which complies with the City's Riparian Corridor Overlay ordinance; and
 - b) designates a 7 acre wetland and historic structure protection area.

The management strategies identified for PHNP are described by the plan as utilizing an "adaptive management" approach.^{iv} According to the plan, "adaptive management is a structured, iterative process of decision-making that uses ongoing monitoring to guide it. . . . such as, surveys of recreation users, samples of water quality, or measuring the extent of damaged vegetation . . . to understand current conditions and whether or not the existing management actions are successfully achieving park

goals.”

The adaptive management strategies identified in the plan include goals to:

- a. Protect and restore the riparian corridor;
- b. Improve water quality;
- c. Protect and restore natural resources and biodiversity;
- d. Protect and restore cultural and historical resources;
- e. Maintain and enhance multiple uses with minimal conflict;
- f. Uphold management responsibilities;
- g. Broaden community stewardship and appreciation for the park.

The management strategies covered in each alternative are:

PUBLIC INVOLVEMENT

During the three year process in developing the proposed management plan, the consultant project team sought input from all interested parties to gather broad public input.^v

BUDGET RELATED FACTS

As mentioned earlier in this report, according to the Administration, budgets to implement the plan will be developed once the proposed management plan and one of the proposed alternatives has been approved by the Council. However, efforts have already begun to secure funding to apply towards the management of PNHP. In the Salt Lake City Division of Sustainability, Quarterly Status Report, January 1 thru March 31, 2010, it states that two grants have been submitted to fund restoration of riparian area and eroded culvert outlets in PHNP. The short term step is to look for additional funding opportunities, while the long term goal is to continue grant writing for stream, meadow and upland restoration.

MATTERS AT ISSUE/POTENTIAL QUESTIONS FOR ADMINISTRATION:

➤ POLICY CONSIDERATIONS

1. Because PHNP is located outside the City limits, the riparian corridor ordinance does not apply as a matter of law. Because the City Council has adopted the concepts in ordinance, it can be assumed to be “City policy” unless the Council specifies otherwise.

The Council may wish to determine whether the preservation concepts in the riparian corridor ordinance should be applied to this City property.

2. Off-leash designation was approved in PHNP when the City Council made its motion in 2007, and in the proposed management plan, off-leash will remain. However, the plan takes into consideration identified sensitive areas wherein on-leash is recommended and/or off-leash areas are limited.

At the time the off-leash designation was approved by the Council in 2007, the City Council did not officially adopt an amendment to Section 8.04.390 of Salt Lake City Code to officially include PHNP into City code as an off-leash area.

Once the Council determines if they wish to make any changes based upon the requested management plan, the Council can process an ordinance to formally designate portions of the park as off-leash.

3. The Sugar House Master Plan statement indicates PHNP should be maintained as a nature park and that a master plan should be developed to evaluate competing interests that include additional uses, such as a dog park.

The Council may wish to hold a discussion whether the proposed management plan meets the intent of the Sugar House Master Plan statement as follows:

*“Parley’s Historic Nature Park is located at 2760 South and 2750 East and consists of 76 acres of land. This area should be maintained as a nature park. Its natural, scenic, historic and wildlife habitat environment should be protected **with a conservation easement to maintain the Nature Park as an open, natural area in perpetuity.** With the funding already secured for the project, Salt Lake City is participating with Salt Lake County and the State of Utah to complete the Parley’s Crossing Project and build a tunnel under Interstate 215. The Parley’s Creek Corridor Trail adjacent to the Interstate 80 freeway will connect the Bonneville shoreline Trail to the Jordan River Parkway with connecting Trails into Parley’s Canyon Historic Nature Park and Tanner Park. Funding is required for a master plan for Parley’s Historic Nature Park to plan for linking trailways, restoration and development, and to repair damage from soil erosion and overuse. A master plan is recommended for the nature park in order to address these issues and to evaluate competing interests that call for additional uses such as a more extensive trail system and use as a dog park. Uses that may undermine the values of natural preservation must be carefully controlled in order to maintain this area as a nature park.”*

4. After the 2007 motion adoption, the Council funded additional enforcement for Parley’s and other open spaces. Later, at a June 2008 Council briefing, Salt Lake County Animal Services identified procedural changes that would allow them to manage calls differently to reduce the number of service calls (including park patrols) while still meeting the contract requirements with the City because of resource limitations. This practice has been discontinued but this management plan calls for increased enforcement.

Does the Council wish to fund the enforcement or adjust the plan?

5. Issues raised by community members regarding the Administration's recommended Alternative D3:
 - a) Users of the park express the south side of Parleys' Creek provides shade for dog owners and their dogs, however Alternative D3 aligns the off-leash trail along the north side of the park which provides limited shade.
 - b) Removal of the on-leash restriction is being proposed in Alternate D3 for the main entry to PHNP from Tanner Park parking lot. Suggestion has been made by a community member to maintain on-leash during the summer months and allow off-leash during the winter months.
 - c) Stewardship and volunteerism is important to PHNP's future. The management plan includes goals to broaden community stewardship and appreciation for the park.

The Council may wish to further discuss the above issues raised by community members.

6. PHNP is located in the county.

Is the Council interested in exploring annexation into Salt Lake City?

7. PHNP is zoned in the County as single-family residential (R- 1-8 and R-1-21).

Is the Council interested in exploring whether the zoning should be changed to a zone that more accurately represents its stated purpose, open space? And if open space zoning designation is considered, other uses might be allowed that would not be appropriate to the stated purpose of the park. Therefore, does the Council also wish to explore whether potential revisions to the City's open space zoning requirements and riparian corridor ordinance are necessary to address some of the specific issues associated with PHNP?

8. **The Council may wish to discuss a conservation easement or other conservation tool, such as a deed restriction, to ensure long-term conservation as recommended by the proposed plan.**
9. **Because this is the City's first management plan developed for an open space area, the Council may wish to hold a policy discussion regarding a public hearing process for this plan before adoption.**
10. **The Council may wish to seek Salt Lake County Animal Services input on potential challenges with enforcement in PHNP.**

PHNP HISTORY/CHRONOLOGY:

- 1921, Salt Lake City's Commissioner of Parks "envisioned a 300 acre linear parkway connecting the mouth of Parley's Canyon to Highland Drive in Sugar House."
- 1976, Canyon Rim Citizens Association took the lead in working with neighbors and landowners and made a proposal to the City to assemble parcels to create an historical nature area known as Hansen Hollow.
- 1985, numerous acquisitions, land donations and title transfers were completed.
- An 88 acre park was assembled with the intent to prevent development and to protect the natural resources of the park.
- For one decade, the park remained natural without attention from the City.
- 1990, Salt Lake City's Open Space Master plan and the County's trail plan proposed a protected corridor with an adjacent trail along the length of the Parley's Creek.
- Over time, the area became an attractive site for various users: off-leash dog walking, mountain and BMX biking, and tubing on the creek. Users of the park and surrounding neighbors took a vested interest in the park and helped keep the park clean.
- Late 1990's, PHNP became a more frequented area for people who wanted to walk their dogs off-leash. The open space is an attractive area in a natural setting which provides an area for dog owners to exercise their dogs off-leash so they can run freely while enjoying the natural surroundings.
- September 14, 2004, the City Council adopted Resolution 52 of 2004 approving modified process and evaluation guidelines developed by the Public Services Department regarding the City's dog off-leash program. The proposal to designate Parley's Historic Nature Park was the first proposal to be considered by the City Council since the adoption of Resolution 52 of 2004.
- 2004, FIDOS (Friends Interested in Dogs and Open Space), submitted a petition to designate PHNP as an off-leash area.
- 2005, one-year test period of off-leash took place ending in a successful test in November 2006.
- 2007, City Council made a motion and approved an off-leash designation for PHNP with the understanding that modifications may be based upon the findings of the short term interim management plan and upon the long term findings of the master plan/management plan developed later.

- 2008-2009, Riparian Corridor Stream Study planning process
- 2009, Parleys Trail planned for Parley's area was adopted consisting of a 10 foot wide paved multi-use trail. Trail rules will be established with the city, county, and Parley's Rails Trails and Tunnels (PRATT) working together.
- November 2008-February 2009, Baseline Conditions Report developed
- April 2009, Comprehensive Use Plan developed
- December 2009 – March 2010, Management Strategies plan developed (one of the conditions of the 2007 Council motion when approval was made for off-leash designation).
- April 2010, Public Services submitted formal recommendation to Mayor Becker

cc: Cindy Gust-Jenson, David Everitt, Rick Graham, Frank Gray, Mary DeLaMare-Schaefer, Ed Rutan, Lynn Pace, Val Pope, Dell Cook, Stakeholders Group, Emy Storheim, Sharen Hauri, Shawni Larrabee, Jim Strong, Millcreek F.I.D.O.S., Mayor Liaisons, City Council Liaisons

File location: Parley's Historic Nature Park/Designated Off-leash area

ⁱ Refer to page 12 of the management plan to view all alternatives

ⁱⁱ Refer to page 3 of the Administration's transmittal to review details of the Mayor's preferred alternative details

ⁱⁱⁱ In prior documents provided to the Council, 88 acres were identified as the available open space area in PHNP. The portion of the property owned by Salt Lake City is 63 acres which is the acreage reflected in the proposed management plan. The remaining acreage making up a total of 88 acres in PHNP are portions of the park owned by the county and UDOT therefore not included as part of the plan.

^{iv} Management strategies are provided on pages 19-27 of the management plan.

^v A comprehensive timeline of public involvement is outlined on page 35 of the management plan and Attachment C outlines the management plan process.

ATTACHMENT I

City Council Straw Polls – Parley’s Historic Nature Park			
Meeting Date	Straw Polls Taken December 7, 2010	Council Member	Response
December 7, 2010	1. Does the Council wish to adopt an ordinance to formally designate the off-leash areas of PHNP into City Code and to include the Council Policy statements as part of the ordinance?	Christensen, Turner, Penfold, Garrott, Love and Martin	Yes
		Simonsen	Absent
December 7, 2010	2. Does the Council support restating their original straw poll taken on October 12: <i>“The Council supports two (2) access points to the creek as proposed by Alternative D3. The Council doesn’t want to preclude a third access point; suggests that the City consider making access points permanent; supports enlarging access point immediately west of the bridge, downstream. The Council specified that a 3rd access point could be designated on the advice of riparian experts and park users. “</i> Restatement of Council Straw Poll Does the Council support two (2) access points to the creek as proposed by Alternative D3, reduce the size of the western access point by the bridge back to what was recommended by the Administration rather than expanding the size of the western access point as originally stated in the Council’s straw poll, and identify and establish a third access point?	Christensen, Turner, Penfold, Garrott, Love and Martin	Yes
		Simonsen	Absent

ATTACHMENT I

December 7, 2010	<p>3. Does the Council support dogs using Parley's Trail must be on-leash?</p>	<p>Christensen, Turner, Penfold, Love and Martin</p> <p>Garrott</p> <p>Simonsen</p>	<p>Yes</p> <p>No</p> <p>Absent</p>
December 7, 2010	<p>4. Does the Council support maintaining on-leash at the main entrance from Tanners Park into PHNP, allow off-leash at the point of the regulation sign located at the first turn in the trail, and require on-leash at the 2870 East entrance?</p> <p><i>(Staff note: in a legislative body, a majority of the body is needed to consider an item "passed," therefore, three votes does not necessarily mean that the straw poll has passed.)</i></p>	<p>Penfold, Garrott and Love</p> <p>Christensen, Turner and Martin</p> <p>Simonsen</p>	<p>Yes</p> <p>No</p> <p>Absent</p>
December 7, 2010	<p>5. Does the Council support their original straw poll that states social trails are to be evaluated: social trails identified as irreparable would be closed; social trails identified as being reparable would be repaired; social trails without current problems remain in place; in addition to prohibiting the creation of new social trails?</p>	<p>Christensen, Turner, Penfold, Love and Martin</p> <p>Garrott</p> <p>Simonsen</p>	<p>Yes</p> <p>No</p> <p>Absent</p>
December 7, 2010	<p>6. Does the Council support on-leash dogs only on the south side of the Creek?</p> <p><i>(Staff note: in a legislative body, a majority of the body is needed to consider an item "passed," therefore, three votes does not necessarily mean that the straw poll has passed.)</i></p>	<p>Christensen, Turner, and Martin</p> <p>Penfold, Garrott and Love</p> <p>Simonsen</p>	<p>Yes</p> <p>No</p> <p>Absent</p>

ATTACHMENT I

December 7, 2010	7. Does the Council support prohibiting dogs on the south side of the creek, human traffic only?	Turner and Martin Christensen, Penfold, Garrott and Love, Simonsen	Yes No Absent
December 7, 2010	8. Does the Council support the development of a user fee for PHNP?	Christensen, Turner, Love, Garrott and Martin Penfold Simonsen	Yes No Absent
December 7, 2010	9. Does the Council support having the Administration restrict access for all uses in the recently reseeded areas along the north side of the creek that are in conjunction with Parley's Trail?	Christensen, Turner, Penfold, Garrott, Love and Martin Simonsen	Yes Absent
Meeting Date	Previous Straw Polls Taken Prior to December 7, 2010	Council Member	Response
October 5, 2010	10. Does the Council want to keep the park?	Christensen/Love Turner/Simonsen/Martin Penfold/Garrott	No Yes Not ready to vote
October 5, 2010	11. Does the Council want to adopt the Mayor's proposed Alternative D3 without any changes?	Christensen, Turner, Penfold, Garrott, Love, Martin, and Simonsen	Unanimous -- No
October 5, 2010	12. Is the Council interested in protecting the water quality and riparian corridor?	Christensen, Turner, Penfold, Garrott, Love, Martin, and Simonsen	Unanimous --Yes

ATTACHMENT I

October 5, 2010	13. If the Council's interest is to protect the riparian corridor, does the Council want to restrict access?	Christensen, Turner, Penfold, Garrott, Love, Martin, and Simonsen	Unanimous -- Yes
October 5, 2010	14. Does the Council support all stated park goals listed on pages 7-8 of the plan?	Christensen, Turner, Penfold, Garrott, Love, and Martin Simonsen	Yes No, does not agree with: "minimal conflict" as stated in Goal #4 Maintain and enhance multiple uses with minimal conflicts
October 12, 2010	15. The Council supports two (2) access points to the creek as proposed by Alternative D3. The Council doesn't want to preclude a third access point; suggests that the City consider making access points permanent; supports enlarging access point immediately west of the bridge, downstream. The Council specified that a 3 rd access point could be designated on the advice of riparian experts and park users.	Christensen, Penfold, Garrott, Love, Martin and Simonsen Turner	Unanimous – Yes Absent

ATTACHMENT I

October 12, 2010	16. The Council intends to support the riparian buffer as described on page 19 (Goal 1:A) of the plan except where historic considerations or construction disturbances may make it less desirable. Further it is the intent to look for opportunities to get users closer to the water while still minimizing impact.	Christensen, Penfold, Garrott, Love and Martin Simonsen Turner	Yes Wants to consider further. Absent
October 12, 2010	17. It is the Council's intent that education and enforcement be provided through staffing during park hours, recognizing the need for after hours enforcement and collaboration with City police and Salt Lake County law enforcement, as well as physical barriers at the discretion of the Administration.	Christensen, Turner, Penfold, Garrott, Love, Martin, and Simonsen	Unanimous --Yes
October 12, 2010	18. Should the park continue as off leash with the exception of riparian corridor?	Christensen, Turner, Penfold, Love, and Martin Garrott and Simonsen	No Yes
October 12, 2010	19. Does the Council want to create a 50 foot barrier around wetlands and springs w/access restricted (as per plan)?	Penfold, Martin, & Simonsen Christensen, Turner, Garrott & Love	Yes No
October 12, 2010	20. Buffer, preserve and protect springs using boardwalks, 25 to 50 foot buffer zones, signage and/or trail realignment.	Christensen, Penfold, Garrott, Love, Martin & Simonsen Turner	Yes No

ATTACHMENT I

November 9, 2010	21. Does the Council want on-leash or off-leash on the main entry point?	Simonsen Christensen, Turner, Penfold, Garrott and Martin Love	Off-leash On-leash Undecided
November 9, 2010	22. Allow off-leash on the southern side of the water access point and on the northern side of riparian corridor except for at the locations of the natural springs and historic landmarks.	Christensen, Turner, Penfold, Garrott, Love, Martin and Simonsen	Unanimous
November 9, 2010	23. How does the Council wish to address the south side of the creek? A) Off leash south of the creek B) No dogs, people only C) Dogs on leash only with people D) Blocked off to all people/dogs <i>(Staff note: in a legislative body, a majority of the body is needed to consider an item "passed," therefore, three votes does not necessarily mean that the straw poll has passed.)</i>	Garrott & Simonsen Turner & Martin Christensen, Penfold & Love	A B C
November 9, 2010	24. Does the Council support the recommendations that have been provided by the BMX users with the details to be determined with further review?	Christensen, Turner, Penfold, Garrott, Love, Martin & Simonsen	Unanimous - Yes
November 9, 2010	25. Is it the Council's intent that all social trails are evaluated – trails identified as irreparable, close those trails; trails that can be repaired are repaired; and trails without current problems remain in place?	Christensen, Turner, Penfold, Garrott, Love, Martin & Simonsen	Unanimous - Yes

ATTACHMENT I

November 9, 2010	26. Is it the Council's intent to support management practices and trail alignment that would enhance experience in viewing the historic features on the north side of the creek and limit further deterioration of historic features (treated much like the south side of the creek in relation to restoration with dogs being on-leash).	Christensen, Turner, Penfold, Martin	Yes
		Garrott and Simonsen	No
		Love	Absent

Attachment II

Minutes from July 17, 2007 Council Meeting

Adopting an ordinance, resolution or motion to a proposal to amend sections of Salt Lake City Code that would designate Parley's Historic Nature Park as a permitted dog off-leash area.

Councilmember Jergensen moved and Councilmember Turner seconded to adopt a motion establishing the Parley's Historic Nature Park as an off-leash area with the following legislative intents with the understanding that modifications may be based upon the findings of the short term interim management plan and upon the long term findings of the master plan/management plan developed later: 1) accept the attached Parley's Historic Nature Park's working group's findings and recommendations including: a) develop a master plan/management plan for the park including a time length for implementation subject to Council approval, b) appoint a Park Advisory Board to provide stewardship for the park, c) provide financial resources for implementation of the master plan/management plan including strong enforcement within the park, d) recognize that the park has multiple, legitimate users, e) develop and strengthen partnership with the County with respect to maintenance and management of the park; 2) accept the proposal from Utah Open Lands to perform a baseline assessment, including documentation of the current ecological conditions, to be completed without delay; 3) as part of the working group's recommendations, develop an interim management plan to be put in place within 30 days, in coordination with the City Council subcommittee, to identify environmentally sensitive areas that are to be closed to access during interim period nesting areas or other sensitive wildlife areas that are to be closed on a seasonal basis, while leaving other areas open for off-leash, BMX and other specific uses. This plan would have timelines for the achievement of specific goals; during the interim period. Also during the interim period the trail and abutting areas from the entrance just east of Tanner Park from the trailhead to the bridge in the park shall be designated as an on-leash area until the alternate on-leash entrance can be established; 4) develop a long term master plan/management plan, subject to Council approval. The plan would recommend long term preservation items including but not be limited to: a) Protection of environmentally sensitive areas off main trails; b) protection and management of stream beds; c) identification of boundaries for a recognized BMX area; d) protection and preservation of wetlands; e) planning for main "junction" areas likely to be heavily trafficked and other issues relating to the varying intensities of uses around the park; f) enforcement of closed areas and other park rules; g) remediation and cleanup of asphalt pieces, tar, and other debris, as identified in the master plan/management plan; h) addressing ADA accessibility issues and identifying options; i) identification of areas that could be best protected by boardwalks; j) identification of necessary financial resources to address the goals of the master plan/management plan; k) evaluating opportunities to work with other government agencies including Salt Lake County, UDOT, and other federal agencies to: i) remediate environmental issues caused by previous actions of those entities; ii) find collaboration with enforcement; iii) find joint opportunities to provide financial resources. h) Identification of potential additional parking areas and evaluation of how to manage special circumstances such as drought conditions; 5) explore opportunities to establish an additional entrance to Parley's Historic Nature Park at the northeast corner of Tanner Park that could be combined with additional sections in the western area of the park by streambed, designated as an on-leash area and, with proper engineering, an ADA access area, and I further move that the Council express its commitment to identify additional areas within the City that can be designated or acquired as off-leash areas according to the evaluation criteria in the present City resolution.

Councilmember Saxton requested that an enforcement person specifically earmarked for this park be funded immediately. She said she had visited the park many times and rules were not enforced. She asked Councilmember Jergensen to include the number of dogs allowed at any one time and a total number of dogs allowed in the park on any given day to the motion.

Councilmember Christensen said this item dealt with a balance of the right of privacy, the pursuit of liberty and free speech. He said after walking through the park he noticed many competing demands. He said until the Council was able to achieve a balance, the proposed ordinance was a place to start. He said off-leash was an appropriate use in the park.

Councilmember Turner said the City needed a better management plan. He said people bought their homes close to the area because they wanted to walk to the park. He said this should be a neighborhood park. He said residents should not have to clean up after the whole County. He said he supported the motion.

Councilmember Simonsen said there was a 30-day provision to prepare an interim management plan. He said his concern was that it might take 30 days to put a group together. He said he wanted to make sure they had enough time to assemble a group and accomplish the work.

Councilmember Jergensen said the idea was that the Administration would work under Rick Graham's direction. He said some ground work was already in place with FIDO's and with neighbors. He said an interim management plan would not take 30 days to develop.

Councilmember Simonsen moved and Councilmember Buhler seconded to strike the restriction that Councilmember Jergensen put on for on-leash only on the trail leading down to the park to the point of the bridge.

Councilmember Buhler said he supported the amendment. He said he felt this detail should be worked out in a Management Plan. Councilmember Jergensen said the idea was to identify some way for people in wheelchairs or who required ADA access to come down from the east parking lot.

Councilmember Simonsen said he would be comfortable designating other entrances into the park such as the BMX bike area to the south or entrances that were in the process of being developed. He said if a person entering the park was going down a steep embankment with large dogs in tow, the large dogs could suddenly take off dragging a person with them.

Councilmember Love called for a roll call vote on the amendment to the motion, which motion failed, Council Members Simonsen, Buhler, and Love voted aye and Council Members Saxton, Jergensen, Turner and Christensen voted nay.

Councilmember Simonsen read a statement.

Councilmember Buhler said he supported the motion because it designated Parley's as off-leash and accepted the working group's recommendations. He said even though the group was not able to resolve all issues and come to consensus on everything, he was encouraged by the positive things they recommended. He said he needed to state for the record he was not in total agreement with all of the legislative intents, but the Council needed to do something. He said hopefully the committee would be able to produce a solid management plan. He said he wanted to see a Park Authority put together with

Salt Lake County to manage this resource. He said Tanner Park and Parley's Historic Nature Park should be joined under one management. He said then day to day issues could be resolved to make sure this remained a special place for multiple uses.

Councilmember Saxton said this park had not been maintained by the City even prior to it being designated off-leash. She said issues were not unique to this park because there were other areas where people ran their dogs' off-leash illegally. She said the park was dedicated for a reason and it was the City's responsibility as stewards of City property to do everything to keep the park in the same condition as it was when it was donated. She said she would be voting against the motion. She said she would continue to look for more off-leash dog areas in and outside the City.

Councilmember Jergensen recommended there be a real effort to find common ground. He said the park had made a tremendous amount of improvement. He said much of that improvement came from the partners that participated. He said it was a beginning and the City could get something done with all sides participating. He suggested three principles: 1) the idea of peer policing and peer enforcement, 2) collaboration, and 3) the opportunity of a group of people with differing objectives and ideas on how to achieve those objectives. He said they could create a model for the County, the State and most importantly, Salt Lake City.

Councilmember Love said she understood how special the park was for dogs and dog owners. She said a sense of community was there. She said because of that she was willing to support the motion. She said she understood what a wonderful amenity this park was to the City.

Councilmember Love called for a roll call vote, which motion carried, Council Members Simonsen, Buhler, Jergensen, Turner, Christensen and Love voted aye and Councilmember Saxton voted nay.

Minutes from July 17, 2007 Council Meeting

Adopting an ordinance, resolution or motion to a proposal to amend sections of Salt Lake City Code that would designate Parley's Historic Nature Park as a permitted dog off-leash area.

8:59:43 PM Councilmember Simonsen read a statement. He said he appreciated all of the time and attention of both the Council and the Community and it was obvious that this was probably one of the larger issues that the Council had in front of them in some time. The entire valley was impacted the day that permanent settlers moved in about 160 years ago next week. Homes and businesses impact the environment, streets and trails and cars and bicycles and pedestrians all impact the environment. Farms and orchards and ranches impact the environment. Parks impact the environment. You can draw your own conclusions about whether those impacts are good or bad but I think that we can all agree that our lives are touched and blessed because of this great place that we all inhabit but because people and all that come with people impact the environment we have a responsibility to do the best that we can to manage those impacts. As the elected Representative of District 7 where the park is located I've agonized over the decision because origin precedes my term of office of which I am now prepared to respond to. I am mindful of the position of the Sugar House Community Council in substantial opposition to the off-leash use of the park and have appreciated their considerable input both collectively and individually. I appreciate all those who have spent time in helping me understand the issues and the complexity of the decision that's before us. One of the first and obvious issues is that the park in many ways is being loved to death. I'm committed to expanding off-lease areas which is part of the motion that Eric has presented in the City and in the County. Part of the solution is not limiting the off-leash use in this park but greatly expanding our facilities to meet the tremendous need that exists in our community. If we had a dozen parks just like this one throughout our county surely we would reduce the impact environmental and otherwise on this great place. I appreciate the support of the Council in appropriating funding to prepare a long awaited management plan for the park. With this plan we can make appropriate decisions on the long term interests of managing this resource, preserving for future generations. With a baseline assessment and a management plan we may need to make some modifications down the road in terms of our long term use of the park. However basing our decision on science rather than emotion will surely resolve some of the conflicts that now exist. I thank you all for your patience as we've worked through and struggled through many delicate issues

regarding the park and now ready to make a decision and move forward in the best interest of the Parley's Historic Nature Park.

ATTACHMENT III

R 04-15
R 04-15

RESOLUTION NO. 52 OF 2004
APPROVING MODIFIED PROCESS AND EVALUATION
GUIDELINES DEVELOPED BY THE
PUBLIC SERVICES DEPARTMENT REGARDING
THE CITY'S DOGS OFF-LEASH PROGRAM

WHEREAS, the City Council has heretofore enacted ordinances establishing designated areas of certain city parks as areas where dogs may run without leashes under controlled conditions and has heretofore enacted Resolution No. 101 of 1999, approving process and evaluation guidelines developed by the Public Services Department regarding the City's dogs off-leash program; and

WHEREAS, the City's Public Services Department ("the Department") has developed modified process and evaluation guidelines from those previously developed in determining the propriety of establishing additional off-leash areas within the City in the future as well as a form letter of understanding to be entered into between the City and sponsors willing to accept certain responsibilities regarding off-leash parks/areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Salt Lake City, Utah:

That it does hereby express its approval of the modified process and evaluation guidelines developed by the City's Public Services Department ("the Department") regarding establishing additional areas within the City for dogs to run off-leash, as set forth in Attachment "A" and the *Salt Lake City Letter of Understanding - Off-leash Dog Park/Area* set forth as Attachment "B," attached hereto and made a part hereof by this reference.

Passed by the City Council of Salt Lake City, Utah, this 9th day of September 2004.



SALT LAKE CITY COUNCIL

By [Signature]
Acting CHAIRPERSON

ATTEST:

[Signature: Christine Meeker]
CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM:
Salt Lake City Attorney's Office

Date 4/23/2004
By [Signature]
Senior City Attorney

ATTACHMENT "A"

Public Services Department Modified Process and Evaluation Guidelines Regarding Future Dogs Off-Leash Areas

The Public Services Department proposes the following modified process and development guidelines:

PROCESS

1. The process is a community friendly process directed at serving the interests of Salt Lake City residents. A Salt Lake City resident, city official, or other interested party must provide Salt Lake City Public Services a petition signed by at least 25 Salt Lake City residents in order to initiate the process to designate an area as off-leash. If the location is in an area represented by an active Community Council, the request must be forwarded to that Community Council for comment and recommendation.
2. City Parks Division personnel will receive and evaluate the proposal. Staff will meet with interested parties and address any issues related to the request. Staff will make final recommendations to the Public Services Department Director.
3. Requests that meet development guidelines will be recommended to the City Administration for review and endorsement.
4. A community based "Parks for Dogs Advisory Panel" will be established that will meet as needed to discuss issues relating to the off-leash areas and to solve community problems. The panel will monitor off-leash area use, develop education programs, raise funds, and work to make the off-leash area successful for both dog owners and non-dog park users. The panel should consist of a representative from each community council having an off-leash area within its boundaries; a Public Service Department representative; and a County Animal Services representative. The panel's recommendations shall be advisory only and in no way binding upon the City staff, administration, or Council.
5. Each new off-leash site must pass through a 12-month test period before it can be permanently established.
6. During the trial period City parks staff and animal control services will monitor the activities within the off-leash area.
7. At the conclusion of the trial period City parks staff will make a final recommendation to the City Administration and City Council on whether to make the off-leash designation official. Each new site will be considered for establishment by ordinance after the 12-month test period.
8. Official designation will be included in the City code.

EVALUATION GUIDELINES

The criteria used by the City to establish an off-leash area in a City park will be as follows:

1. The prospective off-leash area must exist within property owned by Salt Lake City or other consenting governmental entity.
2. The off-leash area must be appropriate in size in relation to the size of the area and historical uses. The off-leash area will not unduly occupy, interfere, or displace existing activities, facilities, or other historical factors or areas in the park.
3. Areas within Liberty Park, City Cemetery, public squares, plazas and designated watershed areas will not be considered appropriate sites for an off-leash area.
4. An area proposed as an off-leash site must be consistent with established use and/or must meet arising community needs. Special care will be taken to avoid children's play areas.
5. An off-leash area must be accessible to support enforcement.
6. Salt Lake City will provide appropriate signage, waste facilities, and, when budgets allow, other amenities relating to dog use.
7. The need for physical, topographical, or other constructed barriers to assist in avoiding conflict between park users will be considered.
8. The potential conflicts with the park master plan or other restrictive covenants will be evaluated.
9. Any public health, environmental and safety concerns will be reviewed.
10. Consideration will be given to park accessibility (Americans with Disabilities Act issues) where feasible.
11. Evaluation will be made of other sites in the community that might be more compatible.
12. No off-leash area may be located next to a school.
13. The ability of the park to support the activity will be reviewed.
14. A "sponsor" (including, but not limited to, individuals who signed a petition, FIDOS, a business, community council, or private citizen) must be willing to adopt the off-leash park with the task of keeping the park reasonably clean of dog feces, litter related to off-leash activities, etc. A "Letter of Understanding" will be signed to clarify the roles and responsibilities of Salt Lake City and the sponsor group at each off-leash area.

ATTACHMENT "B"

Salt Lake City Letter of Understanding Off-leash Dog Park/Area

I. Purpose

The purpose of this agreement is to outline the duties of Salt Lake City (SLC) and _____ (sponsor) for the operation of the _____ (site name) off-leash area. This agreement lays out the responsibilities a sponsor will carry out in support of the program, describes the limits of a sponsor's responsibilities, and clarifies the roles of SLC. If a site sponsor fails to meet the responsibilities outlined in this agreement, the City retains the right to eliminate the off-leash designation of the site.

II. Effective Date

This agreement will be in effect upon signature by the Salt Lake City Public Services Department Director and the off-leash area sponsor. It shall continue, with amendments or revisions as necessary, unless terminated by the City.

III. Responsibilities

Administration of Agreement: Sponsors from each Salt Lake City Off-Leash Area and a representative from SLC Parks Division will meet on a regular basis, but at least bi-annually, to discuss off-leash areas managed by SLC and supported by the sponsor. Such meetings shall be open to the public. The purpose of these meetings is to discuss clarifications, additions or amendments to this agreement. City staff from the Parks Division and the Mayor's Office shall provide oversight required to carry out duties under this agreement, and shall monitor and administer it.

1. Operations. SLC has primary responsibility for maintenance of all off-leash areas. Parks staff will ensure that maintenance and improvements initiated and carried out by the park sponsor are done according to SLC specifications. SLC Parks will inform individual site sponsors of issues relating to the maintenance or operation of off-leash areas, and may request the sponsor's help in resolving them.

SLC Parks staff will ensure that all responsibilities and duties under this agreement are carried out according to City policies, rules and ordinances, and will provide the off-leash area sponsor with copies of all such off-leash areas policies, rules and ordinances.

A single person or group will be assigned by the sponsor to carry out duties at each off-

leash site. Each person or group will provide SLC Parks with a number where the City can reach, or leave a message for, the designated representative. The designated representative will respond to City inquiries within a reasonable time. SLC shall respond to the sponsor and its site stewards' inquiries within a reasonable time. If there is a change in the lead site sponsor, the sponsor will notify SLC staff by telephone, written correspondence or another mutually agreed-upon method.

2. Education, Training and Information. On a bi-annual basis, the City expects sponsors and their volunteers to provide, with prior notice to and approval from SLC, education events for dogs and their owners. Topics may include issues reasonably related to off-leash dog areas or dogs and their owners.

Sponsors and their volunteers may provide the public with written materials regarding off-leash areas and other information of interest to dog owners without prior notification to the SLC Parks Division staff. Written materials may not unduly litter an off-leash area.

3. General Maintenance (Cleanup) of Off-Leash Areas. Sponsors and their volunteers will provide for general cleanup and maintenance activities relating to the implementation and operation of off-leash sites. These duties include, but are not limited to, clean-ups of a frequency necessary to keep the site reasonably clean of feces and litter, and refilling "poop" bag dispensers.

SLC will provide each site with relevant signage regarding off-leash park policy and site maps, adequate number garbage cans, garbage bags, bag dispensers and bags for cleaning up dog feces and reasonable maintenance of grounds. SLC will be responsible for trash removal from off-leash areas.

4. Off-Leash Site Improvements. Sponsors may help with improvements to an off-leash area. SLC and off-leash area sponsors may work together on such improvements. All improvements must be to SLC specifications, which shall be provided to the off-leash area sponsor. Improvements may include:

- Installation of lighting;
- Installation or maintenance of fencing and gates;
- Installation or maintenance of signs;
- Trimming of weeds or other undesirable vegetation;
- Maintenance of paths or trails;
- Rehabilitation of lands, turf and vegetation; and
- Adding park furniture or other amenities mutually agreed upon by SLC and area sponsors.

SLC will not unreasonably withhold consent for improvements done at the sponsors expense, and will provide a written reason for denial of permission if it opposes the sponsors proposed improvements.

5. Monitoring Off-Leash Areas: Sponsors duties include performing monitoring activities that may include:

Inspecting off-leash sites to identify and report to SLC maintenance staff any damage to fencing, signs or other fixtures that may impair operations;

Notifying SLC maintenance staff of hazardous materials, debris or conditions in or around the site.

6. Fundraising. Sponsors and their volunteers may engage in private fundraising efforts for the purpose of making improvements to off-leash areas or carrying out other duties outlined in this agreement.

IV. REPRESENTATION REGARDING ETHICAL STANDARDS FOR CITY OFFICERS AND EMPLOYEES AND FORMER CITY OFFICERS AND EMPLOYEES.

Sponsor represents that it has not: (1) provided an illegal gift or payoff to a city officer or employee or former city officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this agreement upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in the city's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a city officer or employee or former city officer or employee to breach any of the ethical standards set forth in the City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code.

IN WITNESS WHEREOF, the parties hereto have executed this agreement by having their respective representatives affix their signatures in the spaces below:

Rick Graham, Director
Department of Public Services

Date

Off-leash Area Sponsor

Date

ATTACHMENT IV

Park Goals

1. Protect riparian corridor and water quality
2. Protect and restore cultural and natural resources
 - Water Resources
 - Plant Communities
 - Wildlife and Habitat
 - Biodiversity
 - Historical Sites
3. Restore damaged areas
 - User-created trails
 - Culverts
 - Stream bank erosion
 - Missing riparian corridor vegetation and habitat
 - Hillside erosion
 - Historic properties
 - Noxious weeds
4. Maintain and enhance multiple uses with minimal conflict
 - Off-leash dog walking
 - Walking, trail running and hiking including ADA access
 - Regional trails and connections
 - BMX
 - Cycling
 - Water access
 - Nature appreciation and education
5. Identify additional locations for off-leash dog recreation
6. Uphold management responsibilities
 - Limiting impacts on neighboring properties
 - Disaster prevention, including fire, flood, point-source water quality threats
 - Emergency and maintenance access
 - Ordinances, laws and policies
7. Formalize monitoring and adaptive management
 - Scientific studies to develop monitoring baselines
 - Implement best management practices
 - Manage users based on data
 - Multi-agency coordination
8. Establish and enforce rules
 - Law enforcement
 - Self policing and volunteer patrol
 - Zoning and conservation easements

ATTACHMENT IV

- Signage and interpretation
- 9. Develop consistent funding sources to implement goals
 - Agency partnerships
 - Grants
 - Private sponsorship



Legislative version

SALT LAKE CITY ORDINANCE

No. ____ of 2010

(Adding Parley's Historic Nature Park to the
list of City parks, playfields, and golf courses)

An ordinance enacting Section 15.04.145, *Salt Lake City Code*, to add Parley's Historic Nature Park to the list of City parks, playfields, and golf courses.

WHEREAS, Chapter 15.04 of the *Salt Lake City Code* legally describes City parks, playfields, and golf courses; and

WHEREAS, the Salt Lake City Council desires to add Parley's Historic Nature Park to the list of City parks, playfields, and golf courses set forth in Chapter 15.04.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Section 15.04.145 of the *Salt Lake City Code* shall be, and hereby is, enacted to read as follows:

15.04.145: PARLEY'S HISTORIC NATURE PARK:

Parley's Historic Nature Park is described as follows:

[insert legal description].

SECTION 2. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this ____ day of _____,
2010.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____

Mayor's Action: _____ Approved _____ Vetoed

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2010.

Published: _____

APPROVED AS TO FORM

Date: _____

By: _____

Legislative version

SALT LAKE CITY ORDINANCE

No. ____ of 2010

(Designating and authorizing dog off-leash
areas in Parley's Historic Nature Park)

An ordinance amending Section 8.04.390 and Section 15.08.070, *Salt Lake City Code*, to designate dog off-leash areas in Parley's Historic Nature Park.

WHEREAS, Section 8.04.390 and Section 15.08.070 of the *Salt Lake City Code* prohibit animals from running at large except in certain places designated as "off-leash areas" within City parks and public spaces; and

WHEREAS, on September 9, 2004 the Council adopted Resolution 52 of 2004 approving "Modified Process and Evaluation Guidelines Regarding Future Dogs Off-Leash Areas" (the "Guidelines"); and

WHEREAS, pursuant to the Guidelines, a proposal to designate off-leash areas within Parley's Historic Nature Park has been favorably completed except for official designation in the City code; and

WHEREAS, the Salt Lake City Council finds adoption of this ordinance reasonably furthers the health, safety, and general welfare of the citizens of Salt Lake City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Section 8.04.390 of the *Salt Lake City Code* shall be, and hereby is, amended to read as follows:

8.04.390: ANIMALS RUNNING AT LARGE:

A. With the exception set forth in Subsection B of this section, it is unlawful for the owner or person having charge, care, custody or control of any animal to allow such animal at

any time to run at large. The owner or person charged with responsibility for an animal found running at large shall be strictly liable for a violation of this section, regardless of the precautions taken to prevent the escape of the animal and regardless of whether or not such owner or person knows that the animal is running at large. Any person violating any provision of this section shall be deemed guilty of a civil violation and shall be penalized as provided in Section 8.04.512, “Appendix A”, of this chapter.

B. 1. Dogs shall be permitted to run off leash only in areas of parks and public spaces specifically authorized by City ordinance, specifically designated by the Director of Public Services as “off leash areas”, and clearly identified by signage as such. Said areas shall be as follows: ~~1) designated~~

a. Designated areas of Memory Grove park known as the Freedom Trail section, ~~2) the~~

b. The municipal ballpark, also known as Herman Franks park, except for the fenced youth baseball diamonds and playground area, ~~3) designated~~

c. Designated areas of Jordan park, ~~and 4) designated~~

d. Designated areas of Lindsey Gardens, and

e. Designated areas of Parley’s Historic Nature Park, as set forth in Chapter 15.50 of this code.

2. While in such areas dogs shall at all times remain under control of the dog's owner or custodian. “Under control” means that a dog will respond on command to its owner or custodian.

C. The foregoing notwithstanding, the public services department may conduct additional experiments in other areas of the City for possible future legislative enactment establishing such

areas as “off leash areas”, provided such experiments are conducted in accordance with the guidelines approved by the City Council in its Resolution ~~10152~~ of ~~1999~~2004.

SECTION 2: Section 15.08.070 of the *Salt Lake City Code* shall be, and hereby is, amended to read as follows:

15.08.070: INTERFERENCE WITH ANIMALS OR FOWL:

A. Unlawful Acts: No person shall annoy, injure, release from confinement, or in any manner interfere with any swan, duck, goose, bird, or animal, on the property of the ~~city~~City.

B. Unleashed Dogs:

1. ~~With the exception~~ Except as set forth in ~~subsection~~Subsections B2 and B3 of this ~~section~~subsection, no person shall suffer or permit any dog to enter or remain in a public park or playground, unless it be led by a leash of suitable strength, not more than six feet (~~6~~6') in length.

2. Dogs shall be permitted to run off leash only in areas of parks and public spaces specifically authorized by ~~city~~City ordinance, specifically designated by the ~~director~~Director of ~~public services~~Public Services as ~~“off leash areas”~~, and clearly identified by signage as such. Said areas shall be as follows:

- a) ~~designated~~. Designated areas of Memory Grove park known as the Freedom Trail section,
- b) ~~the~~. The municipal ballpark, also known as Herman Franks park, except for the fenced youth baseball diamonds and playground area,
- c) ~~designated~~. Designated areas of Jordan park,
- d) ~~designated~~. Designated areas of Lindsey Gardens,

e. Designated areas of Parley's Historic Nature Park, as set forth in Chapter 15.10 of this code, or its successor, and~~e) experimental~~

f. Experimental areas referred to in Subsection 8.04.~~390B~~390C of this code, or its successor subsection.

3. While in such areas dogs shall at all times remain under control of the dog's owner or custodian. "Under control" means that a dog will respond on command to its owner or custodian.

C. Animals To Be Controlled: No person shall ride or drive any horse or animal not well broken and under perfect control of the driver.

D. Livestock And Animals: No person shall lead or let loose any cattle, horse, mule, goat, sheep, swine, dogs, or fowl of any kind.

E. Tethering Animals: No person shall hitch or fasten any horse or other animal to any tree or any other place or structure not especially designated and provided for such purpose.

SECTION 3. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this ____ day of _____, 2010.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____

Mayor's Action: _____ Approved _____ Vetoed

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2010.

Published: _____

APPROVED AS TO FORM

Date: _____

By: _____

1 Legislative version

2
3 SALT LAKE CITY ORDINANCE

4 No. ____ of 2010

5
6 (Enacting Chapter 15.10 Establishing Use and Management
7 Rules for Parley's Historic Nature Park)
8

9 An ordinance enacting Chapter 15.10, *Salt Lake City Code*, to establish use and
10 management rules for Parley's Historic Nature Park.
11

12 WHEREAS, on July 17, 2007, the City Council adopted a motion that, among other
13 things, expressed the Council's intent that a use and management plan be adopted for the
14 Parley's Historic Nature Park (the "Park"), and

15 WHEREAS, the City Council has held duly noticed public hearings and work sessions to
16 receive public comment and review proposed Park use and management policies; and

17 WHEREAS, the Council intends that use and management policies meet the needs and
18 desires of the Park's multiple users while also protecting environmentally sensitive areas, and

19 WHEREAS, the City Council desires to enact Chapter 15.10 of the *Salt Lake City Code*
20 to establish use and management rules for the Park; and

21 WHEREAS, the City Council finds (i) adoption of this ordinance meets the intent of the
22 Council motion adopted on July 17, 2007 regarding use and management of the Park, and (ii)
23 reasonably protects the health, safety, and general welfare of the citizens of Salt Lake City.

24 NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

25 SECTION 1. Chapter 15.10 of the *Salt Lake City Code* shall be, and hereby is, enacted to
26 read as follows:

27 **Chapter 15.10**

28 **PARLEY'S HISTORIC NATURE PARK USE AND MANAGEMENT:**

29 **15.10.010: SCOPE:**

30 In addition to the park and playground rules set forth in Chapter 15.08 of this title, the
31 provisions of this chapter shall govern the use and management of Parley's Historic Nature Park.
32 In the event of a conflict between the provisions of Chapter 15.08 and this chapter, the provisions
33 of this chapter shall apply.

34 **15.10.020: PURPOSE AND POLICY OBJECTIVES:**

35 This chapter is enacted to provide rules for the use and management of the Parley's
36 Historic Nature Park and is intended to help achieve the following objectives:

37 A. Protect riparian corridor and water quality;

38 B. Protect and restore cultural and natural resources, including water resources, plant
39 communities, wildlife and habitat, biodiversity, and historical sites;

40 C. Restore damaged areas, including historic property, user-created trails, culverts,
41 eroded hillsides and stream banks, missing riparian corridor vegetation and habitat, and eliminate
42 noxious weeds;

43 D. Prevent disasters, including damage from fire, floods, and threats to point-source
44 water quality;

45 E. Maintain and enhance multiple park uses with minimal conflict, including off-leash
46 dog walking, walking, trail running and hiking including ADA access, regional trails and
47 connections, BMX, cycling, water access, and nature appreciation and education;

48 F. Identify dog off-leash recreation areas;

49 G. Maintain emergency and maintenance access;

50 H. Limit undesirable impacts on neighboring property; and

51 I. Encourage self-policing and volunteer patrols.

52 **15.10.030: PARK ENTRANCE POINTS:**

53 The Parley's Historic Nature Park shall be accessed only from the following two (2)
54 places as shown on the park site plan adopted by reference in Subsection 15.10.090 of this
55 chapter:

56 A. Entrance 1: On the west boundary of the park, located adjacent to the east parking lot
57 of Tanner Park, denominated as "Entrance 1" on the park site plan; and

58 B. Entrance 2: On the east boundary of the park, located along Parley's Trail, east of I-
59 215, denominated as Entrance 2 on the park site plan.

60 **15.10.040: TRAILS:**

61 A. Trails shall be established and maintained only as shown on the park site plan adopted
62 by reference in Section 15.10.090 of this chapter and in accordance with this section.

63 B. All approved trails shall be clearly marked.

64 C. Unapproved, user-created trails existing as of December 15, 2010 shall be evaluated
65 by the Mayor, or the Mayor's designee, as follows.

66 1. Trails identified as irreparable shall be closed and restored to a natural state.

67 2. Trails identified as reparable shall be repaired and shall thereafter be deemed an
68 approved trail.

69 3. Trails identified as usable shall be deemed an approved trail.

70 D. Trails approved pursuant to Subsections C2 and C3 of this section shall be shown on
71 the park site plan adopted by reference in Subsection 15.10.080 of this chapter.

72 E. User-created trails appearing after December 15, 2010 shall be closed and restored to a
73 natural state.

74 **15.10.050: DOG OFF-LEASH AND ON-LEASH AREAS:**

75 A. Dog off-leash and on-leash areas shall be established and maintained as shown on the
76 park site plan adopted by reference in Section 15.10.090 of this chapter and in accordance with
77 this section. The physical boundaries of such areas shall be clearly marked.

78 B. The following places shall be designated as dog off-leash areas:

79 1. North side of the riparian corridor, except within any natural spring, historic
80 site, or re-vegetation area,

81 2.

82 3.

83 C. The following places shall be designated as dog on-leash areas:

84 1. Within any natural spring buffer, wetland buffer, or a historic site area,

85 2. Parley's trail,

86 3. East Tanner Park parking lot to the Parley's Historic Nature Park regulation
87 sign located at the first turn, top of the hill,

88 4.

89 5.

90 **15.10.060: RIPARIAN CORRIDOR AREAS:**

91 A. Riparian corridor and wetland areas shall be maintained and protected as shown on the
92 park site plan adopted by reference in Section 15.10.090 of this chapter and in accordance with
93 this section.

94 B. The provisions of Section 21A.34.130 (Riparian Corridor Overlay District) of this
95 code shall apply to the Parley's Historic Nature Park except as follows:

1. Except as provided in Subsection B3 of this section, there shall be no disturbance of land (trails or development) located within twenty-five (25) feet of the Parley's Creek average high water line (AWHL).

2. Natural springs shall be preserved and protected by twenty-five (25) to fifty (50) foot buffer zones, boardwalks, and signage. When use of boardwalks is not feasible, trails shall be aligned or realigned as needed to avoid encroachment within natural spring buffer zones.

3. Existing bridges and boardwalks may remain and may be repaired and maintained subject to applicable provisions of Section 21A.34.130 of this code.

4. Limited structures located between twenty-five (25) and fifty (50) feet from the AWHL, including trails, boardwalks, and benches, are permitted where the impact of such structures can be limited or mitigated as determined by the Public Utilities Director consistent with the intent of Section 21.A.34.130 of this code.

15.10.070: STREAM ACCESS POINTS:

Parley's Creek shall have three (3) permanent access points within the park: one located on the east end, one on the west end near the _____ bridge, and one to be determined by the Mayor, or the Mayor's designee, no later than July 1, 2011. The access points shall be shown on the park site plan adopted by reference in Subsection 15.10.090 of this chapter.

15.10.080: LIMITED PUBLIC ACCESS AREAS:

Public access may be temporarily prohibited as needed to protect any recently restored and/or re-vegetated area.

15.10.090: ADOPTION OF SITE PLAN:

The site plan dated December __, 2010 illustrating and delineating Parley's Historic Nature Park features referenced in this chapter is hereby adopted.

SECTION 2. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this __ day of _____, 2010.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____

Mayor's Action: _____ Approved _____ Vetoed

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2010.

Published: _____

APPROVED AS TO FORM

Date: _____

By: _____