



CITY COUNCIL TRANSMITTAL


Rachel Otto (Mar 12, 2024 13:55 MDT)

Rachel Otto, Chief of Staff

Date Received: 3/12/2024

Date Sent to Council: 3/12/2024

TO: Salt Lake City Council
Victoria Petro, Chair

DATE: March 12, 2024

FROM: Jorge Chamorro, Public Services Director

SUBJECT: Proposed Ordinance to Close a Portion of 7200 West

STAFF CONTACTS:

Jon Larsen, Transportation
Jorge Chamorro, Public Services Department Director

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Consider and adopt the attached ordinance

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: The City Council is being asked to adopt an ordinance closing a portion of 7200 West between California Ave and I-80 (see exhibit A) on, or soon after, March 15, 2024 and until March 14, 2026. In response to the increased fire danger on public and private property posed by the recurring illegal dumping activity and the costly mitigation incurred by City Departments. The ordinance states that closure will take effect upon its adoption.

This portion of 7200 West runs between California Avenue, on the South end, and after the UP railroad crossing, on the North end. The road is unimproved, meaning no asphalt, concrete or curb and gutter. The area experiences frequent illegal dumping of bulky, hazardous, and large amounts of waste due to the remote location and proximity to permitted solid waste management facilities. Responding to multiple complaints received over the last year, this location has been cleared of illegally dumped waste twice in the last year, with several City Divisions and Departments involved in these efforts. The first cleanup occurred during the week of February 20th, 2023, resulting in the removal of: 3.6 tons of tires, 15 mattresses and over 250 tons of waste, with a total cost for labor and dumping fees of \$30,000. The most recent cleanup took place in the first week of December



2023, when a contractor performed the work at cost to the City of \$35,000. Despite that effort, waste has slowly started accumulating again.

This road has been previously closed under the direction of Salt Lake City Fire Department due to hazardous conditions caused by standing ice and water. The Fire and Police Departments are supportive of this proposal.

To further deter illegal dumping, potential hazards, and reduce impact of costly cleanups, the Administration is proposing to close the 7200 West between California Ave and I-80 (see exhibit A). Utah Code 72-5-105 requires that any closure may not impair the rights-of-way or easements of any property owner and the franchise rights of any public utility, and that all property owners must still have reasonable access to their property.

The closure will consist of a physical barrier, swing arm gate, installed at each closure point. Keys will be provided to adjacent property owners and a Knox Box will be installed for Fire Department's access.

Union Pacific, owner of the railroad tracks within the proposed temporary closure, will retain access to their property and has provided a letter of support (see attachment 2).

Rio Tinto (Kennecott), owner of multiple parcels within the proposed temporary closure, will retain access to their property and has provided a letter of support for this closure (see attachment 3).

Waste Management, owner of the Mountain View Landfill with an access gate within the proposed closure has also provided a letter of support (see attachment 4).

No other property owners would be impacted by this temporary closure.

PUBLIC PROCESS:

This temporary closure is not subject to the early notification process as per the exemption included in City Code 2.60.050C3.

EXHIBITS:

- A. Legal Description and Map of 7200 West Closure Between California Ave (1400 S) and I-80
- B. Letters of Support from Union Pacific, Rio Tinto (Kennecott) and Waste Management
- C. Ordinance adopting the temporary closure.



EXHIBIT "A"

A description for purposes of defining the extents of the 7200 West right of way from the North line of California Ave, to the south line of the Utah Power and Light Parcel # 14-03-300-001, located in the Southwest Quarter of Section 3, the Southeast Quarter of Section 4, the East Half of Section 9, and the West Half of Section 10, Township 1 South, Range 2 West, Salt Lake Base and Meridian. The bearings and distances of this description are derived from the Salt Lake City construction plans for project # 386-86: 7200 West from 1300 South to I-80, as filed in the Salt Lake City Engineers Office. Said right of way described as follows:

Beginning at the intersection of the West line of 7200 West and the North line of California Ave, said point being N00°40'30"E 32.94 feet and N89°58'46"W 40.00 feet from the Southwest Corner of said Section 10, and running thence along the westerly line of 7200 West the following 10 courses:

1. N00°40'30"E 1,318.23 feet to a 2,906.95 foot radius curve to the left;
2. Northerly along said curve 295.93 feet (chord bears N02°14'36"W 295.80 feet);
3. N05°09'42"W 591.88 feet to a 2,845.01 foot radius curve to the right;
4. Northerly along said curve 318.29 feet (chord bears N01°57'24"W 318.12 feet);
5. N01°14'54"E 1,383.75 feet to a 3,040.00 foot radius curve to the right;
6. Northerly along said curve 176.31 feet (chord bears N02°54'35"E 176.29 feet);
7. N04°34'17"E 911.62 feet to a 2,960.00 foot radius curve to the left;
8. Northerly along said curve 172.89 feet (chord bears N02°53'53"E 172.87 feet);
9. N01°13'29"E 114.54 feet;
10. N01°27'23"E 2,583.08;

thence S89°55'53"E 80.02 feet to the easterly line of 7200 West Street; thence along said easterly line the following 11 courses:

1. S01°27'23"W 2,584.85 feet;
2. S01°13'29"W 114.38 feet to a 3,040.00 foot radius curve to the right;
3. Southerly along said curve 177.57 feet (chord bears S02°53'53"W 177.54 feet);
4. S04°34'17"W 911.62 feet to a 2,960.00 foot radius curve to the left;
5. Southerly along said curve 171.67 feet (chord bears S02°54'36"W 171.65 feet);
6. S01°14'54"W 1,383.75 feet to a 2,765.01 foot radius curve to the left;
7. Southerly along said curve 309.34 feet (chord bears S01°57'24"E 309.18 feet);
8. S05°09'42"E 591.88 feet to a 2,986.97 foot radius curve to the right;
9. Southerly along said curve 304.07 feet (chord bears S02°14'36"E 303.94 feet);
10. S00°40'30"W 1,282.30 feet;
11. S34°40'19"E 42.58 feet;

thence N89°58'46"W 104.64 feet to the point of beginning.

The basis of bearing for this project is N00°26'56"E between the Southwest Corner of said Section 10 and the West Quarter Corner of said Section 3.

Contains 629,750 square feet, or 14.457 Acres.



SALT LAKE CITY CORPORATION PUBLIC SERVICES SURVEY DEPARTMENT

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**ENGINEERING
DIVISION**

349 SOUTH 200 EAST, SUITE 100
SALT LAKE CITY, UTAH 84111
TELEPHONE: 801-535-7973

Contact:
Chris Donoghue, PLS
Salt Lake City
349 South 200 East, Suite 600 P.O. Box
145506 Salt Lake City, UT 84054
PH: (801) 535-7973

DATE	DESCRIPTION

TEMPORARY CLOSURE

7200 WEST
POWER LINE - CALIFORNIA AVE

SHEET:

1

OF 1 SHEETS



Rio Tinto Kennecott
4700 Daybreak Parkway
South Jordan, Utah 84009
Tel: (801) 204-2000

Sent via Email

09 February 2024

Public Services Department
Salt Lake City Corporation
451 South State Street, Room 135
Salt Lake City, UT 84111

RE: Temporary Closure of a Section of 7200 West

To Whom It May Concern:

As a representative of Kennecott Utah Copper LLC (Kennecott), owner of the parcels on both sides of the proposed road closure, I express support for the temporary road closure at 7200 West between California Ave (1400 S) and I-80 with the understanding that Kennecott will have gate access.

Kennecott supports this project as a practical solution to reduce illegal dumping, encampments, and other illicit activities along the corridor. The impacts of which have spilled over onto Kennecott property. These activities are a cause for environmental and safety concerns for Kennecott's employees, contractors, and tenants.

Kennecott will remain in communication with the City project contacts during this temporary closure and will share any additional concerns if they arise.

If you have questions about this letter of support, you can contact me via email at colton.norman@riotinto.com or by phone at (385) 253-0910.

Sincerely,

A handwritten signature in black ink that reads "Colton Norman".

Colton Norman
Principal Advisor – Land Management
Rio Tinto Kennecott



BUILDING AMERICA®

March 7, 2024

RE: Temporary Closure of a section of 7200 W

To Whom it May Concern:

Union Pacific Railroad, owner of the rail line that is crossed by 7200West in Salt Lake City, supports the proposed road closure between California Ave (1400 S) and I-80, as long as access by railroad personnel and equipment remains open. We have been assured that gates installed will be made accessible to appropriate Union Pacific personnel.

We support this project for general safety and rail efficiency reasons. Illegal dumping and potential for trespassing/encampments put our employees at risk and prevent safe access to our property. This can create delays in getting crews to and from trains which impacts safe and efficient train movement and can have ramifications to the motoring public by unnecessarily blocking crossings in the area

I will remain in communication with the City's project contacts during this temporary closure and will share with them any additional concerns if they arise.

If you have questions about this letter of support, you can contact me directly.

Sincerely,

Nathan Anderson

Senior Director, Public Affairs

2/28/24

RE: Temporary Closure of a section of 7200 W

To Whom it May Concern:

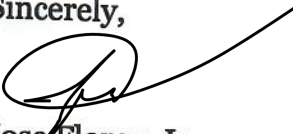
As a representative of Waste Management of Utah, Inc., owner of the parcel on the SW end of the proposed closure, I express our support of the road closure at 7200 W between California Ave (1400 S) and I-80, as long as our property remains accessible.

I support this project because of the excessive amount of illegal dumping of waste along our west property line and in the ditches/canals, fires being started along the road, and campsites that lead to increased waste accumulation in the area. During this project, I have experienced occasional trespassing and theft of vehicle fuel, catalytic converters, and vehicle batteries.

I will remain in communication with the City project contacts during this temporary closure and will share with them any additional concerns if they arise.

If you have questions about this letter of support, you can contact me at JFlores11@wm.com or my cell: 346.293.3093

Sincerely,



Jose Flores, Jr

District Manager – Mountainview Landfill

WM – Waste Management

SALT LAKE CITY ORDINANCE

No. _____ of 2024

(Temporarily closing a portion of 7200 West Street between California Avenue and the Southerly Boundary of Tax Parcel 14-03-300-001-0000)

An ordinance temporarily closing a portion of 7200 West Street between California Avenue and the Southerly Boundary of Tax Parcel 14-03-300-001-0000, pursuant to Utah Code Section 72-5-105.

WHEREAS, areas along 7200 West Street north of California Avenue and adjacent to the Union Pacific rail line that is located approximately 3/4ths of a mile north of California Avenue have been used for dangerous criminal activity, including illegally dumping debris, including hazardous materials; and

WHEREAS, Utah Code Subsection 72-5-105(3) allows a municipality to temporarily close a class C road to mitigate unsafe conditions after following the procedures specified under Utah Code Subsection 72-5-105(5), which requires the city to hold a public hearing on the temporary closure and provide notice to the Utah Department of Transportation and the adjacent landowners of the public hearing; and

WHEREAS, the city has complied with the procedures set forth in Utah Code Subsection 72-5-105(5); and

WHEREAS, the city has partnered with Salt Lake County as part of a coordinated clean up effort, which includes mitigating the unsafe conditions adjacent to the portion of 7200 West Street described herein; and

WHEREAS, the abutting property owners are supportive of this temporary closure and the efforts to clean up areas adjacent to 7200 West Street; and

WHEREAS, the Salt Lake City Council finds after holding a public hearing on this matter, that there is good cause for the temporary closure of the portion of 7200 West Street described herein to mitigate the unsafe conditions caused by illegal dumping of hazardous materials and other debris;

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

SECTION 1. Temporarily Closing a City-Owned Right-of-Way. That a portion of 7200 West Street situated between California Avenue and the Southerly Boundary of Tax Parcel 14-03-300-001-0000, and which is more particularly shown and described on Exhibit "A" attached hereto, is hereby temporarily closed as a public right-of-way pursuant to Utah Code Section 72-5-105 for the period described in Section 2 below and is declared not presently necessary or available for use as a public right-of-way during that period.

SECTION 2. Temporary Closure Period; Reopening. In accordance with the planned coordinated clean-up and criminal detection and prevention activities, the portion of 7200 West Street described herein shall be closed as a public right-of-way from the effective date of this ordinance until two years thereafter or thirty (30) days after mitigation of the unsafe conditions is completed, whichever occurs first. Upon the conclusion of the temporary closure period, the mayor shall direct that the portion of 7200 West Street described in Exhibit "A" hereto shall be reopened and all obstructions to vehicular traffic removed.

SECTION 3. Effective Date. This Ordinance shall become effective on the date of its publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2024.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2024
Published: _____.

APPROVED AS TO FORM Salt Lake City Attorney's Office Date: <u>March 11, 2024</u> By: <u>Katherine Pasker</u> Katherine D. Pasker, <i>Senior City Attorney</i>
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Ordinance temporarily closing a portion of 7200 W_v1