

## COUNCIL TRANSMITTAL

**TO:** Rocky Fluhart **DATE:** March 29, 2006  
Chief Administration Officer

**FROM:** Rick Graham, Director *RG*  
Public Services Department

**SUBJECT:** Salt Lake City Open Space Lands Program 2006 Funding Application,  
Process and Procedure

**STAFF CONTACT:** Rick Graham, Director 535-7774  
Public Services Department

Rick Reese, Chair 583-7056  
Open Space Lands Advisory Board

**DOCUMENT TYPE:** Briefing

**RECOMMENDATION:** That the City Council approve the Open Space Lands Program 2006 Funding Application process and procedure that has been developed by the Salt Lake City Open Space Lands Advisory Board in accordance with Chapter 2.88 of the Salt Lake City Code. It is further recommended that the City Council approve the sale of \$5.4 million in bond funds approved by Salt Lake City residents for the purpose of acquiring and preserving open space lands within the Salt Lake City or its environs, and direct the City Treasurer to prepare the Bond Parameters Resolution.

**BUDGET IMPACT:** \$5.4 million in bond proceeds will need to be appropriated in the 2006/2007 fiscal budget.

**BACKGROUND/DISCUSSION:** On November 4, 2003, Salt Lake City residents voted to approve the allocation of \$5.4 million in bond funds for the purpose of acquiring and preserving open space, parks, and recreation lands and amenities within Salt Lake City or its environs. In November, 2004, the Salt Lake City Council created a Salt Lake City ordinance enacting Chapter 2.88 of the Salt Lake City Code creating the Salt Lake City Open Space Lands Program (Program), and the Salt Lake City Open Space Lands Fund (Fund). The purpose of the Program is to provide an administrative structure for the protection, acquisition, management and compatible development of open space lands in Salt Lake City, and to implement the bond measure passed on November 4, 2003. The



Fund is created as a designated account within the accounting fund structure of the City that shall be used exclusively to acquire, preserve, protect and maintain open space lands. No expenditure can be made from the Fund without prior approval of the City Council.

Section 2.88.060 of the Code allows for the creation of the Salt Lake City Open Space Lands Advisory Board (Board), which is given the power to conduct business and administer certain functions of the Program including; making recommendations to the Administration and City Council on specific criteria and an objective evaluation process to establish priorities and evaluate projects and proposals for expenditure of Open Space Lands Funds, and recommend to the City Council the expenditure of funds for the protection, acquisition, management and development of Open Space Lands.

During the spring of 2005, Mayor Anderson, with the advice and consent of the City Council, created the Board. The Board held its first meeting on May 12, 2005. Since that date the Board has worked with a single focus to develop a process and procedure for soliciting, evaluating, prioritizing and recommending projects that will result in the acquisition and preservation of open space lands in Salt Lake City.

As prescribed in the attached document (see attached 2006 Fund Application Packet) the process and procedure for soliciting, evaluating and recommending funding for open space lands projects will be conducted by the Board and managed by the Public Services Department. Applications will be reviewed by the Board, which subsequently makes recommendations for project funding to the Salt Lake City Council.

A proposed project must meet four (4) conditions before an application will be accepted by the Board:

The project provides a public benefit which complies with the definition of Open Space Lands as defined in Chapter 2.88 of the Salt Lake City Code.

The project is feasible and appropriate to its intended use.

The landowner or representative is prepared to enter into negotiations with the City.

At least 50% of the project shall be funded from sources other than the Open Space Lands Fund.

A project will be considered and evaluated on the basis of its benefit to the citizens of Salt Lake City. Projects will be rated and ranked using the following criteria and weighting:

Quality of Life	30%
Ecological Benefits	20%
Community Support and Geographic Connection	20%
Cost and Funding	30%



Project applicants will be required to participate in a Pre-Application and Final Application process. The Board recommends that the process to solicit projects to be funded by the \$5.4 million in bond funds start May 1, 2006. The evaluation process will run five (5) months, concluding with a funding recommendation submitted to the City Council on September 15, 2006.

In preparation of spending the bond proceeds, the City Council must adopt a Bond Parameters Resolution, and authorize the sale of the bond. Additionally, an appropriation of \$5.4 million must be included in the 2006/2007 budget. Since the Council has previously decided to issue a bond for the Leonardo project early this summer, it makes sense to issue the Open Space bond at the same time.

**PUBLIC PROCESS:**

No formal Public process is required.

# **Salt Lake City Open Space Lands Program**

## **2006 Fund Application Packet**

**If you have questions or need assistance with this application, please contact Salt Lake City Department of Public Services, 535-7774.**

This Application Packet describes the process and procedures for granting funds for the acquisition of land, easements, development rights, and other means of preserving open space lands under the Open Space Lands Program. (The term "acquisition" in the following materials includes purchase of fee title, purchase of easements or development rights, and donations of land, easements or development rights.) Applications for projects are reviewed by the Salt Lake City Open Space Lands Advisory Board. The Board subsequently makes recommendations for project funding to the Salt Lake City Council.

This program is voluntary and works with willing landowners. All land purchases must be at or below fair market value, as determined by an appraisal by a Salt Lake City-approved appraiser. This application process is used for all open space land acquisition projects under this program. Proposals will be considered and funded annually subject to the allocation of funds.

### **MISSION STATEMENT**

Salt Lake City Open Space Lands Program seeks to preserve the quality of life in all areas of Salt Lake City.

The Mission of the Salt Lake City Open Space Advisory Board is to facilitate the City's acquisition, management, promotion, preservation, protection and enhancement of open space land.

Open Space Land is defined by ordinance as a parcel of land in a predominantly open and undeveloped condition that is suitable for 1) natural areas, 2) wildlife habitat, 3) important wetland or watershed lands, 4) greenway or stream corridors, 5) small neighborhood parks designed primarily for non-organized, non-supervised activities, and 6) trails and paths for non-motorized recreational activities.

Powers and duties of the Board are established in Section 2.88.110 of the Salt Lake City Code, effective November 11, 2004.

### **Important Dates in the 2006 Application Process**

<b>Pre-Application Period Opens</b>	<b>May 1<sup>st</sup></b>
<b>Pre-Application Period Closes</b>	<b>June 15<sup>th</sup></b>
<b>Pre-Application Acceptance Decision and Notification</b>	<b>June 30<sup>th</sup></b>
<b>Final Application Period Opens</b>	<b>June 30<sup>th</sup></b>
<b>Final Application Period Closes</b>	<b>August 1<sup>st</sup></b>
<b>Board Decision and Recommendation to City Council</b>	<b>September 15<sup>th</sup></b>



## Eligibility

The following four conditions must be met before applications will be accepted:

1. The project provides a public benefit which complies with the definition of Open Space Lands as defined in Chapter 2.88 Salt Lake City Code – Open Space Lands Program, as follows:

“Open Space Lands” means a parcel of land in a predominantly open and undeveloped condition that is suitable for any of the following; (The term “undeveloped” does not include man-made structures of historical significance.)

- a. natural areas;
- b. wildlife habitat;
- c. important wetlands or watershed lands;
- d. greenway or stream corridors;
- e. small neighborhood parks designed primarily for non-organized, non-supervised activities such as:
  - a small single purpose play lot,
  - a children’s playground
  - seating areas
  - natural vegetation, and/or
  - a small open grass area
- f. trails and paths for non-motorized recreational activities

Open Space Lands may be preserved, enhanced and restored in order to maintain the natural, scenic, ecological, cultural, hydrological or geological values of the property. Open Space Lands may be located within Salt Lake City or outside Salt Lake City if the Board determines it furthers the objectives of the ordinance.

2. It is feasible and appropriate to its intended use.
3. The landowner or representative is prepared to enter into negotiations with Salt Lake City.
4. At least 50% of the project shall be funded from sources other than the Open Space Lands Program.

## Evaluation

Projects will be considered and evaluated on the basis of their benefit to the citizens of Salt Lake City. Projects will be rated and ranked using the following criteria and weighting:

Quality of Life	30%
Ecological Benefits	20%
Community Support and Geographic Connection	20%
Cost and Funding	30%



## **Salt Lake City Open Space Lands Program**

### **Fund Application Process**

1. Applicants must complete a pre-application form (see attached). The pre-application requires basic information, including the characteristics, location and ownership of the property. The Board must receive completed pre-application forms by 12 noon on June 15th. Completed pre-application forms may be submitted at any time prior to the deadline.

If the applicant is not the owner of the subject property, the applicant is responsible for identifying and contacting the property owner. The applicant should determine the owner's interest in negotiating, and obtain permission for this application. The Board encourages landowners and applicants to work with other partners, such as land trusts, businesses, and conservation organizations, to identify other sources of funding, including other public entities, private donors, or grants.

2. Department of Public Services staff (hereinafter "the Department") will review and evaluate the completed pre-application form and respond in accordance with the schedule noted on page one of this application. The pre-application must be properly completed and submitted to the Department. The Department will make a recommendation to the Board to either accept or deny the pre-application.

Upon notification of Board approval of pre-application, successful applicants will be invited to submit a final application to the Board. Applicants shall indicate intent to proceed with final application within 7 days of receiving the notice.

3. Projects recommended by the Department for final application will be reviewed by the Board. This review period will be completed in accordance with the schedule noted on page one of this application. The review process may include the following:
  - Site visit by staff and Board, and must include applicant and/or landowner.
  - The Department may contact applicant for additional clarification and information.
  - The Board will review the final application materials.
  - The Board will make its funding recommendations to the City Council.
4. The Board may recommend full funding requests, partial funding requests or no funding for the project. The Board reserves the right to place conditions on the project. The City Council is the final decision-making authority.

If funding for the project is recommended by the Board and approved by the City Council, the City is authorized to take steps necessary to complete the project. The applicant is responsible for providing all information requested by the City. Acquisition negotiations will be conducted between the City and the land owner or their agent.



## Salt Lake City OPEN SPACE LANDS PROGRAM

All Applicants must submit a completed pre-application form including, supporting documentation. Pre-applications are accepted from May 1, 2006 through June 15, 2006 at 12:00 noon. Submit twelve duplicate copies to:

Department of Public Services,  
Salt Lake City Corporation  
451 South State Street, Room 148  
Salt Lake City, UT 84111  
(801) 535-7774  
rick.graham@slcgov.com

## Pre-Application Cover Sheet

1. Common Name of Property or Project:
2. Name and Address of Property Owner(s):
3. Property Parcel ID number:
4. Name of Applicant:
5. Applicant's Address:  
(Street or P.O. box, City, State, Zip)
6. Phone (home):
7. Phone (work):
8. Phone (mobile):
9. Email:
10. Date Submitted:
11. Signature of Property Owner:
12. For Site Visit Arrangements Please Contact:
13. Signature of Applicant
14. Estimated Cost of Project:
15. Funding Requested from Salt Lake Open Space Lands Fund:
16. Total Amount of Anticipated Match:

[illegible]



**17. Funding Partners and Anticipated Contributions:**

**18. Is this a land acquisition in fee title, or another means of open space lands preservation such as purchased or donated easements, development rights, a donation of land or other means? Please explain if other than fee title.**

**19. Who will take title to land?**

**20. If applicable, who will monitor conservation easements on the land?**

**21. On a separate page describe how the project benefits the public. Limit description to one page.**

**22. On a separate page provide a simple map or diagram of the proposed project. Please show adjacent properties and streets. Limit graphics to one 8 ½ X 11 page.**




# SALT LAKE CITY OPEN SPACE LANDS PROGRAM

All Applicants must submit a completed Final Application form including supporting documentation. The Final Application and supporting materials will be combined with the applicant's pre-application packet. Final applications are accepted through August 1, 2006 at 12 noon. Submit twelve duplicate copies to:

Department of Public Services,  
Salt Lake City Corporation  
451 South State Street, Room 148  
Salt Lake City, UT 84111  
(801) 535-7774  
[rick.graham@slcgov.com](mailto:rick.graham@slcgov.com)

## Final Application Cover Sheet

1. Common Name of Property or Project:
2. Name and Address of Property Owner(s)
3. Property Parcel ID number:
4. Name of Applicant :)
5. Applicant's Address:  
(Street or P.O. box, City, State, Zip)
6. Phone (home):
7. Phone (work):
8. Phone (mobile):
9. Email:
10. Date Submitted:
11. For site visit arrangements contact:
12. Signature of Applicant

[illegible]



## SALT LAKE CITY OPEN SPACE LANDS PROGRAM

### Final Application

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Please attach descriptions for each of the categories listed below. Provide documentation to support claims in all categories. Applications are limited to a total of five pages of double spaced text and five pages of explanatory maps, surveys, and drawings. Please number your answers to correspond with the following categories.

*Note: Salt Lake City will not participate in a purchase over fair market value, as determined by a qualified appraisal. A qualified appraisal will be done at City expense if the project is recommended by the Board and approved by the Salt Lake City Council*

1. Please present a summary of your Open Space proposal describing the most convincing reason why the City should fund it.
2. **Type of acquisition**  
Is this a land acquisition in fee title, or another means of open space lands preservation such as purchased or donated easements or development rights, a donation of land, or other means? Please explain if other than fee title.
3. **Negotiation Status**  
Provide name of property owner or representative and a letter stating the owner or representative is willing to negotiate an agreement with Salt Lake City. Describe if Power of Attorney has been given to anyone other than the landowner. If applicable, provide a copy of or describe the terms of a purchase contract affecting the property.
4. **Site Map**  
Provide a map or diagram of the proposed project site. Show property boundary and, if applicable, any public land boundaries. Show all current and proposed developments (roads, streets, easements, etc.), improvements, natural features (streams, ponds, lakes, wetlands, etc.) and mode of access to the property (public road, right of way, easement, etc.). Provide boundary survey of property, if available.
5. **Area Map**  
Provide a map of the surrounding area displaying current land uses (agricultural, residential commercial, institutional, industrial, etc.) and any proposed developments. Include any important land use features which may influence the project site. Please identify other protected lands in the area and their ownership (e.g. public lands, areas under conservation easements, etc.).
6. **Land Uses**  
Describe the current land uses on the site.
7. **Environmental Hazards**  
Describe all known previous and current uses of the site. Is there a possibility of hazardous material or environmental problems on the site? Has a hazardous material or environmental assessment been done? If so, what were the results?
8. **Title Commitment**  
Attach a title commitment for the property. Of special interest will be encumbrances or liens on the property, contracts affecting the property, adverse possession claims, easements, legal access, and status of mineral and water rights, if applicable.

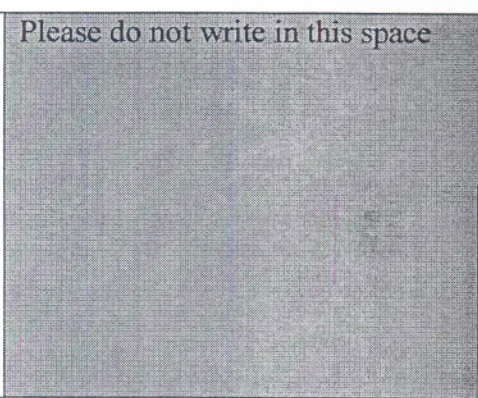


## SALT LAKE CITY – OPEN SPACE LANDS FUND PROGRAM

### Final Application

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Please address the following categories in the space provided. Each category must be addressed or your application will be deemed incomplete. If a category does not apply, please explain why. Applicants may be asked to provide documentation for all categories to support responses.

A	Quality of Life	30% of Total Points
1	<b>Provides Recreational Opportunities</b>  Describe how this project provides recreational opportunities. List specific activities, along with their space and/or design requirements and how this project will meet those requirements.  <i>Projects that offer recreational opportunities other than trails are considered here. Projects offering multiple opportunities to a broad range of people will score higher than those with fewer opportunities.</i>	Please do not write in this space 



<p><b>2 Provides Trail Opportunities</b></p> <p>Describe how this project contributes to Salt Lake City's network of trails and how it implements trails planned or identified in the City's Open Space Master Plan or current City area Master Plans.</p> <p><i>Projects that connect existing trails score higher than projects that create trails limited to one site.</i></p>	<p>Please do not write in this space</p>
<p><b>3 Usable by Diverse Groups</b></p> <p>Explain how this project will be accessible to, and used by diverse populations such as people with physical disabilities, low-income users and geographically and culturally diverse groups.</p> <p><i>Projects that promote use by diverse populations will score higher.</i></p>	<p>Please do not write in this space</p>
<p><b>4 Proximity to Public Transit</b></p> <p>List bus and TRAX stops that are close to the project and provide approximate distances to the proposed site and bus route numbers.</p> <p><i>Projects in proximity to public transit operating at different times with a high frequency of service will score higher than those with no access or limited access to transit.</i></p>	<p>Please do not write in this space</p>



**5 Provides Scenic and Aesthetic Benefits**

List the different locations from which this open space will be visible. Describe the anticipated visual quality of the project and list the locations from which this quality will be visible.

*Projects that provide the greatest aesthetic benefit to the greatest number of people will score higher.*  
*Projects that are visible from roads and other public spaces will also score higher.*

Please do not write in this space

**6 Holds Historical and Cultural Value**

Describe the historic and cultural value this site holds. List any designations by historical societies.

*Projects that protect or enhance historic and cultural amenities will score higher.*

Please do not write in this space



B	Ecological Benefits	20% of Total Points
1	<p><b>Preserves Land From Development</b></p> <p>Describe the degree of protection from development that this site will have through the form of tenure, such as conservation easements or restricted development rights.</p> <p><i>Proposals that provide greater permanence of protection score higher.</i></p>	<p>Please do not write in this space</p>
2	<p><b>Preserves or Enhances Water Quality, Air Quality and/or Soil Quality</b></p> <p>Provide an evaluation of the anticipated protection of water, air, and/or soil quality by a qualified independent source. Summarize the findings of the report and attach the full document with your proposal. (Qualified sources include Natural Resource Conservation Service, Utah Association of Conservation Districts, Utah Dept. of Environmental Quality, Utah Department of Natural Resources)</p> <p><i>Proposals that provide specific measures for protecting or enhancing water quality, air quality and/or soil quality will score higher.</i></p>	<p>Please do not write in this space</p>



**3 Preserves or Enhances Biodiversity or Rare Natural Features**

Describe how this project would protect or enhance biodiversity or rare natural features. Assertions must be supported by reports from qualified third party experts. (See qualified sources above.)

*Projects that offer protection or enhance Utah's plants, animals and natural communities, or rare and unique natural features will score higher.*

Please do not write in this space



C Support and Geographical Benefit		20% of Total Points
<p><b>1 Local Public Support</b></p> <p>Summarize the local support this project has elicited?</p> <p><i>A project that can demonstrate it has the support of its neighboring property owners, and the Community Council or association in which the project is located, will score higher.</i></p>	<p>Please do not write in this space</p>	
<p><b>2 Regional Public Support</b></p> <p>How does this project meet regional goals of open space, and/or park and trail systems? Does the region include areas adjacent to Salt Lake City. Please attach proof of support and/or copies of official plans to which this project contributes.</p> <p><i>A project that can demonstrate it has regional support by organized jurisdictions or established plans will score higher.</i></p>	<p>Please do not write in this space</p>	



**3 Support by other Stakeholders**

Is this project supported by other stakeholder groups included in the above two questions? A stakeholder is an individual, organization or entity who has an interest in the project.

*Please submit support in written form with the application.*

Please do not write in this space

**4 Serves Underserved Area**

Does the proposed open space serve an underserved area as defined by the National Parks and Recreation Association park standards?

Neighborhood park-2.5 acres/1000 people within .25 to .5 miles

Community park-2.5 acres/1000 people within .5 to 3.0 miles

Metropolitan park 5 acres/1000 people within 30 minutes drive

*Proposals that introduce open space into areas of the City that have fewer per capita open space areas will score higher.*

Please do not write in this space



**5 Forms Connections with Other Open Space**

How does this project connect to other open space and contribute to an existing network of open space?

*Proposals that provide links between two or more existing areas of open space and thus create a continuous connected area will be given more points. Show how the space could provide an environment for plants, water and wildlife and/or how it could be accessible to walkers, hikers, or bikers.*

Please do not write in this space

**6 Buffers Adjacent Uses**

How does this project buffer between incompatible uses?

*Proposals that use open space to serve as natural separations to offer protection from sound and/or light, roadway views, or other aesthetically incompatible land uses will score higher. The greater the benefit to the greatest number of people the higher the score.*

Please do not write in this space



D	Costs and Funding	30% of Total Points
1	<p><b>Matching Funds Secured</b></p> <p>What is the total amount of matching funds you have already secured? What percentage of the overall acquisition costs does this total represent? Please note that favorable purchasing terms by current owner qualify as matching funding. Favorable terms will be assessed against assessed values.</p> <p><i>The greater the percentage of already secured matching funds, the higher the score. Bargain sales qualify as matching funds. Please attach proof of matching funds.</i></p>	<p>Please do not write in this space</p> <p>7 80% or more of total project cost</p> <p>5 65-79% of total project cost</p> <p>3 50-64% of total project cost</p> <p>1 35-49% of total project cost</p> <p>0 0-34% of total project cost</p>
2	<p><b>Other Funds Pending SLCOSP Funding</b></p> <p>Please list the amount and sources of funding secured that are contingent on approval of Salt Lake City funding.</p> <p><i>Proposals are given points for having secured funding from other sources pending the approval of the Salt Lake City Open Space funding. Please attach proof of funding.</i></p>	<p>Please do not write in this space</p> <p>5 150% or more of funds requested</p> <p>4 100% or more of funds requested</p> <p>3 50% or more of funds requested</p> <p>2 1-50% of funds requested</p> <p>1 none</p>



### 3 Submittal of Other Grant Applications

List the other grants you will be applying for. Please provide the dates of the anticipated awards as well as the amounts requested from each grant.

*Proposals are given points for having submitted other grant applications (must be included). The higher the percentage of the project cost, the higher the score. Salt Lake City funding may be held for up to 12 months pending success of other applications.*

Please do not write in this space  
3 100% or more funds requested  
1 0-100% of funds requested for Salt Lake City.

### 4 Restoration

Describe the restoration work this project would require for it to function as open space. What is the anticipated total cost of restoration?

*Proposals requiring work to restore natural habitat, to demolish buildings or construct amenities for public use will score lower (unless separate funding has been secured).*

Please do not write in this space  
5 Lower than \$250,000  
4 Between \$250,000 and \$500,000  
3 Between \$500,000 and \$750,000  
2 Between \$750,000 and \$1,000,000  
1 Greater than \$1,000,000



**5 Land Acquisition Funds Requested**

What is the exact dollar amount requested from Salt Lake City?

*Proposals requesting lower absolute dollar amounts rate higher to enable greater distribution of funds.*

Please do not write in this space

5 Lower than \$250,000

4 Between \$250,000 and \$500,000

3 Between \$500,000 and \$750,000

2 Between \$750,000 and \$1,000,000

1 Greater than \$1,000,000