

19.81.010 Findings.

A. The Federal Highway Administration (FHWA) regulation entitled “Procedures for Abatement of Highway Traffic Noise and Construction Noise” (23 CFR 772) provides procedures for noise studies and noise abatement measures to help protect the public health and welfare, supplies noise abatement criteria, and establishes requirements for information to be given to local officials for use in the planning and design of federal-aid highways. The Utah Department of Transportation (UDOT) policy entitled “Noise Abatement” (Policy #08-111), adopted pursuant to 23 CFR 772, addresses highway noise impacts and sets forth conditions under which noise abatement projects may be approved and constructed in the state of Utah with the use of federal-aid highway participation funds.

B. In order for UDOT to obtain participation funds from FHWA for proposed federal-aid highway projects for noise abatement measures on existing highways (known as “Type II Projects”), local authorities are required to take measures “...to exercise land use control over the remaining undeveloped lands adjacent to highways in the local jurisdiction to prevent further development of incompatible activities.” 23 CFR 772.13(b).

C. In an effort to prevent future traffic noise impacts on currently undeveloped lands, 23 CFR 772.15 requires that highway agencies shall inform local officials within whose jurisdiction the highway project is located of the following:

1. The best estimation of future noise levels (for various distances from the highway improvement) for both developed and undeveloped lands or properties in the immediate vicinity of the project;
2. Information that may be useful to local communities to protect future land development from becoming incompatible with anticipated highway noise levels; and
3. Eligibility for federal-aid participation for Type II Projects as described in 23 CFR 772.13(b).

D. In order for Salt Lake County residents to benefit from the development and implementation of Type II Projects for noise abatement along eligible highways within its boundaries, it is found to be in the county’s best interests to comply with federal regulation and state policy by adopting this zoning ordinance codified in this chapter. (Ord. 1309 § 2, 1995)