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Present: Angie Zetterquist, Chris Harrild, Josh Runharr, Lane Parker, Jason Watterson, Brady Christensen, Phillip Olsen, Rob Smith, Chris Sands, Lee Edwards, Megan Izatt **Start Time:** 05:32:00

Christensen welcomed and Parker gave opening remarks

05:34:00

Agenda

Smith motioned to accept the agenda with no changes; *Olsen* seconded; **Passed 6, 0.**

05:35:00

Minutes

Parker motioned to accept the minutes from 3 May 2018 with the noted changes; *Smith* seconded; **Passed 6, 0.**

05:35:00

Consent Items

#1 Mt. Sterling Wright Subdivision 1st Amendment

Zetterquist reviewed the revised staff report.

Michelle Jensen commented that she would like to add an addition to the existing home but it won't meet setbacks on the existing lot so that is the reason for combining the parcels.

Olsen motioned to approve the Mt. Sterling Wright Subdivision with the noted amendment; *Watterson* seconded; **Passed 6, 0.**

05:41:00

#2 Dominion Energy Sardine Canyon Conditional Use Permit

Watterson motioned to approve the Dominion Energy Sardine Canyon Conditional Use Permit; *Smith* seconded; **Passed 6, 0.**

05:42:00

Continued Items

#3 Creekside Estates Subdivision

Zetterquist reviewed the staff report for the Creekside Estates Subdivision. Staff is requesting another continuance of 30 days for the applicant and Smithfield to work out access.

Staff and **Commission** discussed access and continuing the item.

Duane Williams commented regarding access.

Christensen asked about length restrictions on private roads.

Runhaar responded that private roads are limited to three homes.

Mr. Williams explained his design for the road through the subdivision and the need for a design exception.

Harrild reviewed what options are available to proceed with the proposed road changes to the plat.

Christensen asked if Mr. Williams plans to use 800 West at all.

Mr. Williams responded that at this point there are no plans but would like to keep the option open for future improvements.

Smith asked what the status was with Smithfield City regarding access.

Mr. Williams responded that Smithfield is fine with the subdivision using 800 West but at this point he doesn't plan to use 800 West.

Smith asked if anything in writing has been received from Smithfield.

Mr. Williams responded that Mayor Barnes is planning to submit something in writing.

Sands asked what uses were located to the south of the property.

Mr. Williams responded that there is 20 acres of undeveloped property to the south and then a county road. The current owner of that property is uninterested in selling.

Sands responded that this needs to be done right and make sense for future growth.

Mr. Williams responded that he would like to see an easement going south to meet up with that county road.

Sands responded that it would make more sense to do that if development is going to continue to the south.

Williams responded that is something that makes sense and that the proposed idea makes sense for accessing the parcels.

Staff and **Commission** discussed design exceptions for roads and how to proceed with the application.

Olsen motioned to continue the Creekside Estates Subdivision up to 90 days; **Sands** seconded; **Passed 6, 0.**

06:10:00

#4 Commercial Zone Amendment – Zanavoo

Christensen recused himself for this item.

Harrild reviewed the staff report for the Commercial Zone Amendment – Zanavoo.

Runhaar commented on the strength and structure of zones.

Staff and **Commission** discussed the current zoning of Zanavoo.

John Brandley reviewed the history of the property and the current setup of the property and what he would like to see happen with the property.

Watterson asked if Mr. Brandley had approached Logan City about annexation.

Mr. Brandley stated no.

Watterson responded that Logan City is probably more able to deal with a proposed development of this type.

Staff and **Commission** discussed the proposed ordinance amendment and how the change would possibly affect the county in the future, more than just this property.

Parker** motioned to recommend denial to the County Council for the Commercial Zone Amendment-Zanavoo; **Watterson** seconded; **Passed 4, 1 (Olsen voted nay).

06:40:00

Regular Action Items

#5 Public Hearing (5:55 pm): Jenkins Rezone

Zetterquist reviewed the staff report for the Jenkins Rezone. One letter was received against the rezone.

Staff and **Commission** discussed the history of the property and access.

06:45:00

Watterson** motioned to open the public hearing for the Jenkins Rezone; **Smith** seconded; **Passed 6, 0.

Michael Jenkins commented that he would like to do one more lot. The land is not farmable. **Virginia Wanagel** asked if the rezone would allow one lot or two lots.

Runhaar responded that one lot would be allowed.

Ms. Wanagel commented regarding water, and that the previous owner would be willing to buy back 5 acres. She would like to see the zoning remain A10.

06:50:00

Watterson motioned to closed the public hearing for the Jenkins Rezone; **Parker** seconded; **Passed 6, 0.**

Staff and **Commission** discussed the application.

Sands motioned to recommend approval to the County Council for the Jenkins Rezone with the one conclusion; **Parker** seconded; **Passed 6, 0.**

06:56:00

#6 West Canyon Ranch Conditional Use Permit

Zetterquist reviewed the West Canyon Ranch Conditional Use Permit (CUP) staff report.

Staff and **Commission** discussed the possibility of phased approval, traffic and requiring a possible traffic study, and what road improvements would possibly be needed for additional cabins.

Jason Summers commented on traffic and the proposed cabins.

Christensen asked if Mr. Summers knew the number of RVs and tents there.

Mr. Summers responded that he didn't know and that they have all been removed. He asked if hunting was allowed on the current zoning.

Harrild responded that hunting is allowed as long as it is in season; however, when a commercial business is created the impact on the site is changed.

Mr. Summers responded that he knew of other operations that operate in the county without a permit.

Harrild responded that they are supposed to have a permit.

Mr. Summers asked if hunting falls under a more agricultural use.

Watterson responded that when it becomes a commercial use it does not.

Mr. Summers responded there are other CWMUs that don't have a conditional use permit.

Watterson responded that a CWMU is different from a CHA.

Mr. Summers responded that a CHA is for hunting birds and a CWMU is for hunting big game.

Watterson asked if this was a CWMU or an operation that would raise the animals hunted on the property.

Mr. Summers responded that currently the operation would raise the domesticated elk for an agricultural use and hunting. The elk are being sold as livestock also.

Sands responded that the agricultural use is a permitted use.

Runhaar stated that if there is transient lodging it changes the use of the property.

Mr. Summers responded that he understood that and if he didn't have transient lodging would hunting be allowed.

Runhaar responded probably because hunters pay to hunt on farmers' property all the time and that the issue is when building this type of facility.

Mr. Summers responded he was looking for clarification and they do want to have short term lodging.

Sands responded that the proposal seemed positive but the access and emergency services need to be available and accessible to the property.

Mr. Summers responded that they have owned the property for one year and that the roads do need maintenance.

Sands responded that there are a lot of reasons the road is the way it is currently and was probably not ever constructed to county standards.

Mr. Summers asked if the road was a local road or a rural road.

Watterson asked about the gate and if it is locked.

Mr. Summers responded that they are required to have a locked gate.

Watterson responded that emergency services would need to have access to meet the CUP ordinance requirements.

Mr. Summers responded that he met with Jason Winn and went over what would need to be done.

Harrild addressed the question on if the road was a local or rural road.

Mr. Summers responded there are only two homes past the fork in the road.

Harrild responded that anything that services three homes or less is a rural road.

Christensen responded that the number of trips would reflect in the road designation.

Mr. Summers responded traffic should decrease and they are looking at developing in phases.

Sands responded staff's recommendation would be done in phases.

Runhaar responded that the number of trips is essential for the road designation.

Mr. Summers responded that they anticipate only a few guests a week.

Christensen asked the maximum number of guests per week housed on site.

Mr. Summers responded 1 to 4 guests per week with the trips being 1 to 3 nights a week.

Staff and **Commission** discussed the seasonal nature of hunting and the roads.

Mr. Summers responded that the road is accessible and the county was working on it yesterday.

Staff and **Commission** discussed the 17 conditions.

Parker asked if the applicant would be ok with the proposed phases.

Mr. Summers responded that he is but he would like to do the existing cabin and another cabin to begin with. He is not looking to have a large number of people up there at one time.

Sands asked if Mr. Summers is fine with the road improvements needed for the private road.

Mr. Summers responded yes.

Sands responded that previous subdivisions have been denied because the applicants weren't willing to improve the road. If additional units are allowed without the improvements, that doesn't seem fair.

Mr. Summers responded that the county hadn't maintained the road either.

Christensen stated that for other applications there was little to no change for traffic.

Harrild responded that traffic studies were submitted with those applications.

Mr. Summers responded he is willing to do a traffic study.

Staff and **Commission** discussed traffic and the impact

Christensen asked how many individual rooms condition #1 would allow.

Mr. Summers responded that the existing cabin has 1 bedroom and the new construction would have two for a total of 3 bedrooms.

Staff and **Commission** discussed the possibility of allowing two cabins. Staff is not comfortable with that change as it skirts the code.

Mr. Summers responded that a floor plan for the cabin was submitted with the application.

Sands asked how large the new construction would be.

Mr. Summers responded that the log cabin kit is 2000 square feet.

Staff and **Commission** discussed condition #1.

Mr. Summers asked for a clarification of what standards the private road needs to meet. The Fire District has stated it was a mountain road.

Runhaar responded that staff couldn't state at this time what it currently is because they don't have that information.

Parker** motioned to approve the West Canyon Ranch Cabin Conditional Use Permit with the amendment to condition 1, amendments to condition 7, the addition of condition 9 under phase 1, and renumbering under future phases to conditions 10-18 subsequently, and the addition of condition 19; **Olsen** seconded; **Passed 6, 0.

Staff and **Commission** discussed the change to condition #1 and the possible traffic implications.

07:54:00

#7 Pisgah Limestone Conditional Use Permit 2nd Amendment

Zetterquist reviewed the Pisgah Limestone Conditional Use Permit (CUP) 2nd Amendment.

Staff and **Commission** discussed the proposed expansion. The original proposal was a contained, small area and it has currently expanded beyond the original approval.

Lance Anderson commented that he is representing the applicants. The intent is to bring the project into compliance, and make sure the zoning in all the areas is sufficient.

Christensen asked if the project is currently in compliance.

Mr. Anderson responded yes and commented that the project is moving from 5 acres to 10 acres. Most of the product being supplied is for homebuilders.

Smith asked if reclamation is going as planned in the original CUP.

Mr. Anderson responded that the gravel pit is bringing the material down the hill and it more challenging to reclaim. Once the material is out of the slope it can be reclaimed but is not reclaimable while the slope is being worked.

Sands asked if once the gravel pit is out, it still cannot be reclaimed back to a forested slope.

Mr. Anderson responded yes, it won't be a forested slope.

Sands responded that it seems that it will be a sheer wall.

Mr. Anderson responded that he thinks it would look more like the reclamation in the Durango and Silverton, Colorado area.

Sands responded that reclamation and weeds have been an issue since the road was put in and asked where the product is going.

Mr. Anderson responded a lot of product is going to Edge Excavation, Visionary and Lifestyle Homes Contractors, some is also going down to Devil's Slide area, and Idaho to the sugar beet farmers.

Sands responded that the visual impacts are going to last years.

Runhaar commented that the County needs to improve how gravel pits are conditioned.

Mr. Anderson responded that where LeGrande's was located has been reclaimed and is being dry farmed. He also commented that once the mining goes over 10 acres the State has requirements that have to be met for reclamation.

Christensen asked if there is a way to be more contained.

Mr. Anderson responded that it is contained as much as possible.

08:13:00

Parker** motioned to extend the meeting to 8:30; **Sands** seconded; **Passed 6, 0.

Parker** motioned to approve the Pisgah Limestone Conditional use Permit 2nd Amendment with the stated conditions and conclusions; **Smith** seconded; **Passed 4, 2 (Watterson and Sands vote nay).

08:15:00

#8 Discussion: Amendments to Title 17.07 Regarding Parcel Legality

Harrild reviewed how parcel legality is researched and done and that the major change is to move the research line to 2006 instead of 1970.

Staff and **Commission** discussed some of the impacts that are possible by changing that baseline from 1970 to 2006.

Adjourned

8:31:00