



Planning Commission Minutes

7 July 2022

Item **Page**

Consent Items

1. Stuart Minor Subdivision 2

Regular Action Items

2. Discussion: General Plan Meeting 2

3. Public Hearing (5:40 pm): William Cody Pitcher Rezone..... 2

4. Public Hearing (5:55 pm): Martin Bench Rezone 3

5. Public Hearing (6:10 pm): Winnies Properties Rezone 4

**6. Public Hearing (6:25 pm): Amending 17.07.0303: Use Related Definition – 5810 Private Airports
..... 5**

**7. Public Hearing (6:35 pm): Amending 17.07.030: Use Related Definitions – 4100 Recreational
Facilities; 17.09.030: Schedule of Zoning Uses by Zoning District – 4100 Recreational Facility 6**

8. Hollow Ridge RV Campground Conditional Use permit 6

9. Discussion: Monticello Meadows Subdivision 7

10. Discussion: Floodplain Setback Distance 7

11. Discussion: Cherry Peak Ski Area CUP 4th Amendment 7

**12: Discussion: Review and amendment of Title 17.07.030 Use Related Definitions and Title
17.07.040 General Definitions including but not limited to use and definitions related to the
following uses: 6400 – Mineral Extraction, 6410 – Topsoil Extract, 6420 – Site Grading 8**

Present: Chris Harrild, Angie Zetterquist, Lauren Ryan, Tim Watkins, Lane Parker, Jason Watterson, Brady Christensen, Chris Sands, Melinda Lee, Brandon Spackman, Nolan Gunnell, Taylor Sorensen, Matt Phillips

Start Time: 05:30:00

Sands called the meeting to order and **Parker** gave the opening remarks.

05:32:00

Agenda

Approved with no objection.

05:33:00

Minutes

Approved with no objection.

05:33:00

Consent Items

#1 Stuart Minor Subdivision

Watterson motioned to approve the consent agenda; Christensen seconded; Passed 6, 0.

05:34:00

Regular Action Items

#2 Discussion: General Plan Meeting

Lauren Ryan requested and explained the need for an additional workshop meeting for the General Plan at the end of July.

Staff and **Commissioners** discussed the reason for the meeting and a date and time for the requested meeting.

Christensen motioned to approve a meeting for July 28, 2022 at 5:30 pm; Watterson seconded; Passed 6, 0.

05:39:00

#3 Public Hearing (5:40 pm): William Cody Pitcher Rezone

Zetterquist reviewed the staff report for the William Cody Pitcher Rezone.

05:45:00

Watterson motioned to open the public hearing for the William Cody Pitcher Rezone; *Lee* seconded; **Passed 6, 0.**

William Cody Pitcher commented as the applicant and would like to have a couple of building lots and leave the rest as agriculture.

Staff and **Commissioners** discussed access.

05:47:00

Watterson motioned to close the public hearing; *Lee* seconded; **Passed 6, 0.**

Commissioners discussed the rezone being compatible with the surrounding area, access, and services.

Christensen motioned to recommend approval to the County Council for the William Cody Pitcher Rezone based on 1 conclusion; *Watterson* seconded; **Passed 6, 0.**

05:50:00

#4 Public Hearing (5:55 pm): Martin Bench Rezone

Zetterquist reviewed the staff report for the Martin Bench Rezone.

Commissioners and **Staff** discussed septic system location, roads and road improvements,

06:01:00

Parker motioned to open the public hearing for the Martin Bench Rezone; *Christensen* seconded; **Passed 6, 0.**

Chad Martin is the applicant and commented on access and the road.

Harrild responded that the trail head funds have been approved but funds for the road have not been approved.

Gunnell stated he has heard no funds being available for paving the road.

Watkins stated that a conditional use permit is going to be needed for the trail head project and final details are still being finalized.

Staff and **Commissioners** discussed the needed road improvements and the existing trail head improvements.

Mr. Martin stated an access off 1000 south will be used and only three lots are being planned.

06:10:00

Christensen motioned to close the public hearing; *Watterson* seconded; **Passed 6, 0.**

Commissioners discussed the road and needed improvements, the location and distance from Mendon, and Mendon City's letter.

Watterson motioned to recommend approval to the County Council for the Martin Bench Rezone with the 1 conclusion; *Lee* seconded; **Passed 6, 0.**

06:16:00

#5 Public Hearing (6:10 pm): Winnies Properties Rezone

Zetterquist reviewed the staff report for the Winnies Properties Rezone.

06:22:00

Parker motioned to open the Winnies Properties Rezone; *Lee* seconded; **Passed 6, 0.**

Cameron Winquist representing the applicant commented that the family who owns the land has been working on this project with Scott Wells for over a year and the proximity of Wellsville services across the highway. Wellsville City is not interested in bringing the utilities over for development.

Scott Wells from Wellsville City commented on providing services from Wellsville and being dependent on developers to help with building infrastructure and this could hinder future growth. They would like to see this development hook onto the City water and sewer systems and not have wells and septic.

Sands asked about proximity of City water and sewer.

Mr. Wells commented that water is across the highway about 1 city block and sewer would possibly need a lift station. There are two sleeves under the highway but the City is having trouble finding them.

Jake Bankhead commented against the proposed rezone because of water and septic.

Mr. Winquist commented this should not hinder development of Wellsville and there should hopefully only be 3 wells shared by the new buildable lots. Wellsville City just approved two homes with septic tanks.

Kurt Bankhead commented in opposition based on water and traffic and that the property should be annexed.

James Smith commented in opposition based on water, traffic and needed road improvement.

06:34:00

Lee motioned to close the public hearing; *Spackman* seconded; **Passed 6, 0.**

Commissioners discussed spacing of wells and septic, development of infrastructure, and working with the local municipality to develop in the city.

Parker motioned to recommend denial to the County Council of the Winnies Properties Rezone based on the 1 conclusion; *Watterson* seconded; **Passed 6, 0.**

06:42:00

#6 Public Hearing (6:25 pm): Amending 17.07.030: Use Related Definition – 5810 Private Airport

Harrild reviewed the staff report for the suggested amendment for private airports.

Staff and **Commission** discussed ownership or of the property or an easement for the different needed zones for an airport and removal of the last paragraph of the existing language, and intermittent use for landing and taking off.

06:58:00

Christensen** motioned to open the public hearing for amending 17.07.030: Use Related Definition – 5810 Private Airport; **Watterson** seconded; **Passed 6, 0.

Dirk Howard commented on leasing land for an airport or zones of airport and asked how an easement would work with a conditional use permit.

Sorenson reviewed what an easement is and how it runs with the land.

Carrie Richman commented on the safety of homes and people in an area where landing and taking off of an airplane is happening and to specify that a permit is needed to land and take off of an airplane in the area.

Emily Stoker commented wanting a say in permits being granted in the area of her home and that her house has been buzzed and her children frightened by planes.

Carrie Goodsell commented on a plane going through her hay property after it landed. No property owner should have to give an easement for a runway.

Laura Barras commented on the FAA not requiring a permit for intermittent use and how it is not safe for planes to take off and land close to homes and wanting a ½ mile buffer from nearby homes in all directions of planes landing and takeoff area.

07:16:00

Christensen** motioned to close the public hearing; **Spackman** seconded; **Passed 6, 0.

Commissioners and **Staff** discussed the Holyoak airport conditional use permit (CUP) being revoked, the complaint process for a violation and enforcement, intermittent use, possibly allowing no landing or take off if the plane owner doesn't control the land, and planes landing in an emergency, and existing State Code.

Parker** motioned to recommend approval of the proposed amendment with the change to an easement not a lease; **Watterson** seconded; **Passed 6, 0.

07:38:00

#7 Public Hearing (6:35 pm): Amending 17.07.020: Use Related Definitions – 4100 Recreation Facility; 17.07.030: Schedule of Zoning Use by Zoning District – 4100 Recreational Facility

Watkins reviewed the staff report for amending 17.07.020: Use Related Definitions – 4100 Recreation Facility; 17.07.030: Schedule of Zoning Use by Zoning District – 4100 Recreational Facility.

Commissioners and **staff** discussed making recreational facilities conditional in a commercial zone, an overlay, and state code for water systems and septic.

07:55:00

Watterson motioned to extend the meeting until 8:30; *Lee* seconded; **Passed 6, 0.**

07:57:00

Lee motioned to open the public hearing for Use Related Definitions 4100 Recreational Facility; *Watterson* seconded; **Passed 6, 0.**

Ted Stokes commented on appreciating putting policy in place in line with the public wants.

08:00:00

Parker motioned to close the public hearing; *Spackman* seconded; **Passed 6, 0.**

Staff and **Commissioners** discussed how option one is a short term solution and option two is a longer term solution. However, the General Plan, when adopted, will affect this and could force some changes if a longer term solution is sought at this time. How this change would impact commercially zoned property was also discussed. Some commissioners also feel like this could set precedence for removing a zone from a use due to a knee jerk reaction of one proposal.

08:12:00

#8 Hollow Ridge RV Campground Conditional Use Permit

Watkins reviewed the staff report for the Hollow Ridge RV Campground Conditional Use Permit (CUP).

Commissioners and **Staff** discussed the suggested changes to comply with State code.

Watterson motioned to approve the Hollow Ridge RV Campground Conditional Use Permit with the amended 16 conditions and 2 conclusions; *Lee* seconded; **Passed 5, 1 (Spackman voted nay).**

Mr. Stokes commented on the full language of the State code being applied to the CUP.

Sorensen stated that State Code applies even if it is not called out specifically in the CUP.

Mr. Stokes commented that the language from the Board of Adjustments states that all inconsistencies must be addressed.

Sands responded that the Commission feels like that is what has happened but the Commission can motion to hear more public comment.

08:36:00

Watterson motioned to extend the meeting up to 8:50 pm; *Lee* seconded; **Passed 6, 0.**

#9 Discussion: Monticello Meadows Subdivision

Watkins reviewed the staff report for the Monticello Meadows Subdivision.

Phillips reviewed the reason for discussing this particular subdivision and how the current County Code affects the road improvements needed for this development. He also explained what a fee in lieu would mean.

Commissioners and **Staff** discussed the scope of the project, the cost needed to improve the road, the fee in lieu, the possibility of eminent domain, and what options are available for these types of road.

08:54:00

Christensen motioned to extend the meeting until 9:20 pm; *Lee* seconded; **Passed 6, 0.**

Jacob Schellenberg commented about safety of the road, adding a subdivision, paying for the road, and the fee in-lieu.

Watkins asked how much property would need to be dedicated for the right of way.

Mr. Schellenberg responded about just over an acre. He also stated the McBride's are unwilling to even sign an easement for a 10X10 piece to allow him to access the power box near here.

Sands asked about subdivisions further south of this section.

Phillips responded all of them have been told no because they require extensive improvements to the road and dugways.

09:05:00

#10 Discussion: Floodplain Setback Distance

Harrild explained about the floodplain setback requirements.

Staff and **Commissioners** discussed building a home in a floodplain setback, site specific analysis for helping to define the actual flood plain, possibly changing the language to base it on a 100 yr flood plain instead of a FEMA flood plain, and what maps are referenced for floodplains.

09:16:00

#11 Discussion: Cherry Peak Ski Area CUP 4th Amendment

Phillips informed the Commission that Cherry Peak Ski Area is required to do a traffic study to increase their numbers and a third party has been brought in to do a review of the traffic and has completed their draft.

Staff and **Commissioners** discussed what needs to be completed before the item comes back before the Commission.

9:20:00

#12 Discussion: Review and amendment of Title 17.07.030 Use Related Definitions and Title 17.07.040 General Definitions including but not limited to uses and definitions related to: 6400 Mineral Extract, 6410 Topsoil Extraction, 6420 Site Grading

Will be discussed at the next meeting.

Commissioners expressed their gratitude for Chris Harrild and his hard work for the County.

Zetterquist reviewed what is on the agenda for next month.