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PLANNING COMMISSION  
WORK MEETING MINUTES – May 13, 2015

IN ATTENDANCE:

Chairman Richard Tatton  
Tom Paluso  
Danny Blanton  
Don Torgerson  
R.D. Campbell  
Dave Levanger, Planning Director/Building Official  
Christian Bryner, Deputy County Attorney  
Doris Johnston, Minutes  
Commissioner Jake Mellor

OTHERS ATTENDING:

EXCUSED:

Reed Phillips

The meeting was called to order at 4:30 PM

**1. Review of staff revisions and finalize amendments to the Development Code of Carbon County**

Dave Levanger explained he went through the items that Lynna Topolovec brought up at the May 5, 2015 meeting and made the necessary corrections and will go through this again to verify.

Don Torgerson reviewed the issues from the May 5, 2015 meeting concerning the 1 lot subdivision and what is required of the Planning Commission. Don wanted verification that as long as all the boxes are checked for the Subdivision, the Planning Commission is required to approve for recommendation. Christian Bryner agreed.

Public Hearings and Public Meetings were also discussed by Planning Commission members. Don Torgerson explained that there is a forum and process for Public comment and the public needs to understand and be educated on this process.

Christian Bryner stated there must be compelling, countervailing public interest and general public concern as to why a development cannot be approved. Christian added that the Planning Commission may want to address the public at each meeting explaining the process of the meeting. Christian Bryner agreed he would prepare a statement for the Planning Commission to read to the public at the beginning

of the meetings.

Chairman Richard Tatton commented that in the past, if the public had comments, we have limited it to 2 minutes and do not discuss the same topic twice. Other options were to talk to staff about the topic.

Dave Levanger questioned;

- **Chapter 4; Zoning & Regulations;**
  - *Premise Occupation and Home Occupations*; Should “*subject to the provisions in 3.3.15 & 3.3.16*” remain in wording?
    - Christian Bryner felt this should stay in.

Christian Bryner suggested that the format of the final draft should be standard outline format and uniform and also the Planning Commission should have sufficient time to look at it before it goes to Public Hearing. Don Torgerson added he liked the idea of having the Code updated in PDF form on the website for the public to access.

Christian Bryner went through some of the edits he made;

- **Chapter 3-Zoning-General Requirements;**
  - This heading was added. *Parking of Trailers in Residential Zones*;
    - Members agreed to keep it in this section.
- **Chapter 4-Zoning and Regulations within Zones;**
  - Introductory Language was added under Permitted Uses; *The following buildings, structures and uses of land shall be permitted within this zone.*
  - Introductory language was added under Permitted Conditional Uses; *The following buildings, structures, and uses of land shall be allowed upon applicant satisfying the requirements for a conditional use permit as set forth in Chapter Five of this Code.*
    - Members agreed to change the wording at the end of this paragraph to state “*set forth in this Code*”
- **Chapter 5-Section 5.1.7 Land Use Authority;**
  - Explaining types of Conditional Use Permits that the County Commission will review.
    - Dave Levanger stated the Planning Commission previously approved and added to the Development Code the three different approval levels with the types of approvals each can approve.
      - 1-Zoning Administrator
      - 2-Planning Commission
      - 3-County Commission
        - Dave Levanger explained that the big projects such as mines, big industrial projects would go to the County Commission.
    - Planning Commission members agreed that having 3 approval sections would be the best way to display this. Dave explained he will locate this section and reinsert it to be included in the new version of the Development Code.

The approval process for exploratory and production wells were discussed. Christian Bryner stated we need to clarify this process and if all approvals need to go to the County Commission or can some be approved by the Zoning Administrator or Planning Commission.

Dave Levanger spoke on a section that needs to be included in the Code that states a gas well must be 660 ft. from the existing home and at 55 decibels at 1500 ft.

Don Torgerson explained that if our County grows, there is no way the County Commission can handle every little thing. There needs to be a mechanism in place to deal with items as they go up the latter and this approval process will help to be more consistent.

Christian Bryner reviewed some of the most common CUP's and who would approve:

- cell phone towers-Zoning Admin or Planning Commission
- small wind turbines-Zoning Admin
- oil pipelines-County Commission
- coal mines-County Commission
- gas compressor stations-County Commission
- trucking yards-Zoning Admin or Planning Commission

There was discussion on the standard conditions in Section 5 that include

- sanitation
- noise levels
- financial guarantee if needed
- comply with County road encroachment ordinance
- no impact to neighbors

Public Hearing notice timelines were discussed;

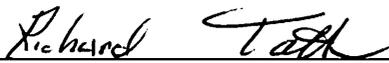
- notice must appear in newspaper no fewer than 10 days prior to hearing
- notice to adjacent property owners no fewer than 7 days prior to hearing
  - Christian Bryner agreed to check the State Code for CUP's on these timelines.

Don Torgerson suggested making a Google Docs version of this document that the Planning Commission could collaborate on. Christian Bryner stated he would get it set up.

Planning Commission members agreed to schedule another work meeting sometime in June to complete the review and edits to the Development Code.

### **Adjourn**

Meeting adjourned by common consent at 5:30 PM

  
Richard Tatton, Chairman