



PLANNING COMMISSION  
SPECIAL MEETING-November 3, 2015

IN ATTENDANCE:

Chairman Richard Tatton  
Reed Phillips  
Don Torgerson  
Commissioner Jake Mellor  
Danny Blanton  
Dave Levanger, Planning Director/Building Official  
Christian Bryner, County Attorney  
Doris Johnston, Administrative Assistant

OTHERS ATTENDING:

Steve Hillam, Rep, for Jerry Carlson  
Cody Ware, Surveyor  
Dale Wright, Citizen

EXCUSED

Tom Paluso  
R.D. Campbell

The meeting was called to order at 4:30 PM

- 1) **Call to Order and Pledge of Allegiance**
- 2) **Review and approval of previous meeting minutes**

Reed Phillips made a motion to approve the minutes from September 15, 2015. Danny Blanton seconded. By unanimous decision, motion carries.

- 3) **Review of past developments and upcoming projects**

Dave Levanger explained that the Planning Commission currently has two vacancies. Chairman Richard Tatton and Don Torgerson's terms are up the end of the year. Both members have applied to remain on the Commission. Dave added there are also two vacancies on the Board of Adjustments. Dave also informed the members that the County has had an inquiry on solar facilities and may be seeing this in the future.

- 4) **Review and possible approval of a Conditional Use Permit to construct a dwelling on parcel 2A-0818-1, in Beaver Creek Area, Jerry Carlson**

Chairman Richard Tatton noted that there is a typo in the staff notes and the water will be supplied by "private spring". The staff notes state that Mr. Carlson has decided to build a cabin on 455 acres in the Upper Beaver Creek area. It is accessed by the Consumers to Broads Canyon Road. As stated before, water will be supplied by private spring. Sewage will be treated by an individual waste water system.

Commissioner Jake Mellor made a motion to approve. Reed Phillips seconded. By unanimous decision, motion carries.

\*This item will go to a future Public Hearing with the County Commission for final approval and an ad will be placed in the Sun Advocate at the expense of the applicant.

- 5) **Review and possible approval of a recommendation for a Conditional Use permit to construct 2 communication towers at 175 E 2750 S, parcel 02-1716-8, in the I-1 zone, and one on Parcel#02-1525-0003, in the M&G zone, on Airport Road, Verizon Wireless**

*Final minutes of the Carbon County Planning Commission Special Meeting-November 3, 2015*

Planning Commission members reviewed photos of the proposed properties. Dave Levanger explained the Verizon 1 tower property is near Dr. Thayne's Animal Hospital on Airport Road. This proposed tower will be visible from portions of East Price. Bryan Anderson, County Communications Director, has been consulted and he has no concerns with this project to do with signal interference.

Dave commented that Ben Grimes, County Surveyor, raised an issue that we need to be aware of in the future concerning the new GPS base station and the need to protect this and not have anything vertical be built within ½ mile of this. This project is far enough away. Dave stated he sees no outstanding issues.

Dave Levanger spoke on the Verizon 2 tower to be located off of Hwy 10 near Circle K Storage. Jared White, Verizon Rep, was unable to attend, but Dave felt he has submitted enough information on these projects to go forward. Planning members asked how tall the towers were. Dave replied, the towers are 150 ft. tall.

Commissioner Jake Mellor asked if there were any concerns with building structures nearby. Dave answered that there were no conflicts that he knew of.

Commissioner Jake Mellor made a motion to approve two cellular facilities for Verizon Wireless as outlined for recommendation to County Commission. Second was inaudible. By unanimous decision, motion carries.

\*This item will go to a future Public Hearing with the County Commission for final approval and an ad will be placed in the Sun Advocate at the expense of the applicant.

#### **6) Review and possible Preliminary approval for North Liberty Estates, Circle K Ranch**

Planning Commission members reviewed the photo of the property. Dave Levanger explained that this subdivision is for 5 large lots.

Chairman Richard Tatton asked how long until Dino Kiahtipes is ready to do Final approval. Dino stated they still have to do a hydrology study required by PRWID and felt it would be around 2 months.

\*Don Torgerson arrived at 4:41 pm

Dave Levanger stated the developer has worked with Curtis Page on storm drainage and there are no concerns. Also the roads will be the same standard as the rest of the subdivision. Dino Kiahtipes explained they will be using septic tanks for these lots.

Danny Blanton made a motion to accept preliminary approval for North Liberty Estates for Circle K Ranch. Reed Phillips seconded. By unanimous decision, motion carries.

#### **7) Review and possible approval of changes to the Development Code of Carbon County, Staff**

Christian Bryner distributed printouts with the proposed changes to the Planning Commission members. Christian reviewed the sections with the additions, updates and changes. See draft for specifics.

##### Section 2.1 PLANNING COMMISSION

- 2.1.1 Qualifications and voting and non-voting liaison members.
- 2.1.5 Duties and Powers; Ability for Planning Commission to give recommendations, approvals or denials on "certain" CUP's

##### Section 2.2 APPEAL & APPEAL AUTHORITIES

- Types of appeals to be heard by-Administrative Hearing Officer, Board of Adjustments or the Geologic Hazard Officer

- 2.2.6 Standards on Variances-We keep the same standards that are in Utah Law.
- Appeals to Geologic Hazards Administrative Hearing Officer-will be a structural or geological engineer, geologist or other expert in the geologic sciences.

### Section 3.3 SUPPLEMENTARY REGULATIONS WITHIN ZONES

- 3.3.8 Storage of Junk and Debris Prohibited-This is now more specific
- 3.3.9 Storage of Commercial Vehicles in Residential Zones-No vehicles or commercial trailers exceeding 2.5 tons shall be parked in residential zones. No obstructing streets.
- 3.3.22 Manufactured Homes-to include wording” manmade masonry materials”
- 3.3.30 Temporary Uses-Certain uses may be permitted on a temporary basis in any zone when approved by the Zoning Administrator.
  - Added to TUP’s- Pod type storage units for disaster cleanup
  - Zoning Administrator can grant additional time for TUP if good cause exists.
- 3.3.35 Flag Lot Developments on Private Drives-Access specifications and requirements described
  - Setback for a structure was changed from 50 ft. to 10 ft. and states “no structure shall be located closer than ten (10) feet to an existing occupied structure.”
- 3.3.38 Requirements for Trucking Terminals-Density factor of no less than 5,000 sq. ft. per truck.
- 3.3.39 Minimum lot frontage on a cul-de-sac-Minimum length of 35 ft.
  - Dave Levanger handed out some additional information to the Planning Commission members with some calculations on cul-de-sacs.

### Section 4 ZONING AND REGULATIONS

- Amended 4.2.10 (C-1) & 4.2.11(C-2) to allow for communication towers and truck terminals as conditional uses.
- Amended 4.2.16 (SL) to allow for Mountain Recreation Developments
  - Dave Levanger distributed photos and explained we should allow for Mtn. Recreation Dev. In the Scofield Lake zone after doing comparisons with Wasatch County and looking at zones in the Scofield area that allow them.
- Amended all zones to allow residential facilities for disabled persons as CUP
- Removed reference to obtaining CUP for exploratory or production wells in all zones where allowed. Christian Bryner explained that the Zoning Administrator shall now have authority to approve these.
- Now reads:
  - Exploratory and productions wells subject to approval of a site plan, as set forth in Section 3.3.31 and other applicable sections of this Code
  - Dave Levanger added this should also include disposal and injection wells. Christain Bryner agreed to include these in the amendment.
- Added Small Business Overlay Zone (SBO) as Section 4.2.24
- Added Airport Overlay Zone (AOZ) as Section 4.2.25

### Section 5 LARGE & SMALL SCALE DEVELOPMENTS, CUPS,..

- 5.1.5 Application Requirements-More specific on when an CUP application is complete
- 5.1.9 Standards governing conditions to be imposed- The land use authority may presume that the conditions required by any federal or state agency (such as DOGM) regulating the use for which the application is submitted are comprehensive and sufficient to mitigate all

- reasonably anticipated detrimental effects for use.
- 5.1.7 Land Use Authority-The Zoning Administrator shall act as the Land Use Authority on routine types of CUP's. Large scale projects will still go through the Planning Commission and the County Commission.

#### Section 6-SUBDIVISIONS

- 6.8.3 Fire Water-Changed wording for water pressure to be *20 psi at static pressure* as per State Code.

#### Section 9 DEFINITIONS

- Injection and Disposal Wells-Added this definition.
  - Don Torgerson noticed a typo on the wording "*any used well*" and it should read "*a well that is used*"
- Major Utility Transmission and Railroad Project
  - Changed Gas and Oil transmission lines to *500 psi* or more
  - Added Solar or Wind Powered Generating Facilities

#### Section 10-ADMINISTRATION AND ENFORCEMENT, VIOLATION, PENALTY

- 10.1.1 Enforcement Officer-The County Commissioners shall designate the persons or departments to be charged with the administration and enforcement of the Code. The Carbon County Sheriff shall have the authority to enforce violations of the code which constitute nuisances. In the absence of a designation, the Zoning Administrator shall have the right to enforce the Code.
  - Commissioner Jake Mellor questioned on who would take the complaint and forward it to the Sheriff.
  - Dave Levanger explained that this would have to be decided and he suggested speaking with the Sheriff. Dave added when a complaint has been received he has always inspected the property first to be sure it is something that needs to be addressed further.

Christian Bryner asked the Planning Commission to approve this with a Public Hearing to be held at the next Planning Commission meeting on December 1, 2015.

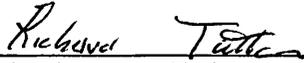
Don Torgerson suggested adding a hyphen on Pg. 9-4 on the wording *wind-powered*.

Commissioner Jake Mellor thanked Christian and Dave for all the hard work on this.

Commissioner Jake Mellor made a motion to temporarily approve the changes to the Carbon County Development Code as outlined for discussion at a Public Hearing with the Planning Commission and to set a date of December 1, 2015 for the Public Hearing. Don Torgerson seconded. By unanimous decision, motion carries.

#### **8) Adjourn**

Commissioner Jake Mellor made a motion to adjourn. Reed Phillips seconded. By unanimous decision, meeting adjourned at 5:20 pm.

  
Richard Tatton, Chairman