

Sanpete County Planning Commission Meeting

March 12, 2014, 6:30 P.M.

Sanpete County Courthouse, 160 North Main, Room 101, Manti, Utah

Present are: Planning Commission Chair Leon Day, Gene Jacobson, Joe Nielsen, Paul Rasmussen, Nathan Palmer, Loren Thompson, Sanpete County Zoning Administrator Scott Olsen and Sanpete County Deputy Clerk Gayelene Henrikson. Commissioner Steve Frischknecht (Curtis Ludvigson is excused.)

Meeting is called to order by Chair Leon Day.

APPROVAL OF MINUTES

Motion is made by Joe Nielsen to approve the Planning Commission minutes of February 12, 2014 with no corrections. The motion is seconded by Nate Palmer, and the motion passes.

DISCUSS AND RECOMMEND PROPOSED AGRICULTURAL PROTECTION AREA ON APPROXIMATELY 200 ACRES LOCATED EAST OF MT. PLEASANT, OWNED BY STEWARDSHIP RANCHES, LLC

Tom Mower and Helena Thomas-Carter are present. Mr. Day reviews request. Sanpete County currently doesn't have an existing agricultural protection area. Discussion involves both requested agenda items. An Agricultural Protection Area covers the land not the ownership. A person still has property rights. Mr. Mower is requesting the protection to stay ahead of the growth, give notice to the public of existing farming and grazing taking place and to protect against nuisance lawsuits. Reviewed a letter sent to the Planning Commission members from the County Attorney advising them of the statutes and procedures for an Agricultural Protection Area. Notification was sent previously to all property owners surrounding the affected area. Location and topography is discussed. The application will be reviewed every 20 years. The county received only one letter concerned with a right-of-way access, which the protection area won't affect the access. In an Agricultural Protection Area, if the property owners within 300 feet of the protection area are developing their property, the County is required to notify them of the agricultural protection area. Mr. Mower has a CWMU (cooperative wildlife management unit) included in the protection area by the Boy Scout Camp.

Discussed the agricultural protection and the narrows pipeline project. The planning commission does not want the protection to have a negative affect on the narrows project. Mr. Mower readily agreed and welcomes the narrows pipeline project to continue and stressed the agricultural protection would not affect the project. If the protection interferes with the Narrows project, then the board doesn't approve of the protection.

Discussed proposed energy transmission projects going through the protected area and possibility of imminent domain. Mr. Jacobson expressed concern of the affect of imminent

domain to the protection area with the proposed power line and existing irrigation. Ms. Thomas-Carter commented that the concern of imminent domain is not the main focus on the agricultural protection and shouldn't be a factor in the protection area.

The commission reviewed the criteria from Utah State Code (17-41-305) and Utah Code Annotated 17-41-303 and addressed each item in regards to the approximate 200 acre parcels.

1) The request complies with the County's planning policies and objectives. 2) Land is currently being used for agricultural production. 3) The area is zoned correctly. 4) The land is viable and used for grazing. 5) They don't have plans for future improvements to the land or anticipate any trends in the agricultural and technological conditions. 6) The commission doesn't have any recommendations to modify or objects the proposal on the 200 acre parcels.

Motion is made by Nate Palmer to recommend to the County Commissioners approval for the proposed agricultural protection area located east of Mt. Pleasant on approximately 200 acres owned by Stewardship Ranches, LLC. Motion is seconded by Joe Nielsen, motion passes.

DISCUSS AND RECOMMEND PROPOSED AGRICULTURAL PROTECTION AREA ON APPROXIMATELY 7,229.43 ACRES LOCATED EAST OF MT. PLEASANT, OWNED BY TEM PROPERTIES LLC AND STEWARDSHIP RANCHES, LLC

Tom Mower and Helena Thomas-Carter are present.

Reviewed the criteria from Utah State Code (17-41-305) and Utah Code Annotated 17-41-303 and addressed each item for these acres of land.

1) Commission noted the County's planning policies and objectives are not affected by the proposal except with the Narrows Project. This proposal cannot stop, impede, or delay anything in relation to the Narrows Project. 2) Land is currently being used for agriculture. 3) The area is zoned Agricultural and Sensitive Lands. 4) In the valley they have crop production and use wheel line, hand lines, and flood irrigate for irrigation. Grazing is done on the foothills and mountain. 5) They currently have farm improvements of three barns, corrals, three cabins used for ranchers. 6) The Narrows pipeline potentially transverses this proposed area and is an anticipated trend. The Commission adamantly refuses to have the Agricultural Protection Area stall the project by any means. 7) The commission recommends the proposal without any modification to the area.

Motion is made by Gene Jacobson to recommend to the County Commissioners the proposed agricultural protection area located east of Mt. Pleasant on approximately 7,229.43 acres owned by TEM Properties, LLC. Motion is seconded by Paul Rasmussen, motion passes.

Motion is made by Joe Nielsen to not recommend any objections to the proposal. Motion is seconded by Nate Palmer, motion passes.

Letter of recommendation will be emailed to Planning Commission members for final

approval and then forwarded to County Commissioners.

With no further business before the Planning Commission, motion to adjourn and begin a work meeting is made by Joe Nielsen. The motion is seconded by Loren Thompson, and the motion passes.

The meeting is adjourned at 7:33 P.M.

WORK MEETING- MATRIX IN THE LAND USE CLASSIFICATION, ROADS, CONDITIONAL USE PERMITS AND CEMETERIES

Discussed cemeteries and only expanding existing cemeteries. Define cemeteries by removing the requirement of a conditional use permit and allow cemeteries be owned by municipalities with an endowment. Discussed only allowing a business cemetery to be within a municipality. They desire to have a separate ordinance for only municipalities. Discussed the zones cemeteries are allowed in. Plan and make sure the policies follow the general plan. Mr. Day suggested adding an agenda item for next month to allow municipality owned cemetery in A, RA-1, RA-2.

Discussed setbacks for the back of properties in the BC zone. Currently the requirement is 75 feet setback for front and rear. Suggested modifying rear setback to 30 feet.

Discussed roads, dedication of easements on the roads and create a policy to upgrade from private to public road. The procedure for upgrading from a private road to public would be having the applicant dedicate the easement, the road would need to be built to county specs, the county could then accept the road if the road is at the standard. An option for clearing the road would be to perform a core drill procedure before taking the road over. Discussed having a policy to widen roads with a cooperative agreement with the right of way. Discussed private roadways and what the potential subdivisions could be. Discussed water issues.

Mr. Day informed the commission of an agenda item for next month that could be a conflict of interest to him as Chair. Mr. Nielsen will chair this item.

With no further business before the Planning Commission, motion to adjourn is made by Paul Rasmussen. The motion is seconded by Joe Nielsen, and the motion passes.

The meeting is adjourned at 8:40 P.M.