

Sterling Town Planning & Zoning Minutes
Tuesday August 13, 2024
7:00 PM

Commission members attending:	Chairman; Judy Wadley, Gedeon Jarvis, Kaden Hanks, and Terry Brewer
Council members excused:	Laura Patton
Staff attending:	Kristina Winkel.
Community attending:	Tami Privett, Devan Fowles with Sunrise Engineering, Brad Rowley
Conducting:	Chairman Judy Wadley. Meeting called to order at 6:59

Agenda item number	Discussion and action items	Result
1. Welcome by Commission Chairman Judy Wadley	Judy welcomes commission and community present. Additional comments: Brad Rowley is present to discuss the approval from the last town council meeting of getting a water hookup outside of town for building a home. He intends on annexing when that point comes. He describes where he lives, across from the Allens near Max Ottens. Tami explains that since he lives in the county, and gets water from Sterling, his permits will be obtained from the county and he will not need to come to the commission for approval. Tami wanted the commission to be aware of the situation and see if there is anything they want to add. Gedeon states it will be a service line, and the expense of hooking onto the line will be his. Brad agrees.	

	Tami presented a signed agreement between Brad and the Town of Sterling so that he can proceed with his build. Sam Brings up a concern about allowing people to hook up to the city without providing a water share. Sam estimates that allowing someone outside of the city without bringing a water share is an estimated loss of 1.4-1.6 million based on the shares the town currently has. The going price for a water share is \$20,000. Sam stresses that there is not one town in the State of Utah that has allowed this. Tami explains that he will be paying for all the costs to bring the water to him and he has agreed to annex when that time comes. Tami explains that in 2018 there was a moratorium to not give water to those outside of town and that it only lasted 6 months and the town did not provide an ordinance to keep it active. Commission discusses preparing an ordinance to present to the council regarding prohibiting new water hookups outside of town or at least requiring them to bring in the water, agree to annex and pay for the infrastructure. Judy suggests that Tami bring it up at the next Town Council. Tami states that it would be appropriate that someone from the Commission bring this up at the next Town Council. Sam also brings up that there needs to be a change to the cul-de-sac rules. The Commission discusses cul-de-sac.	
2. Pledge of Allegiance	Council, staff and community present stand and recite the pledge of allegiance.	
3. Roll Call	See above for attendance.	
4. Reading and approval of minutes from the previous meeting.	Gedon makes a motion to pass minutes as presented from the Planning & Zoning Public Hearing from July 9, 2024. Kaden seconds the motion. Kaden makes a motion to pass minutes as presented with one typo from the Planning & Zoning Meeting from July 9, 2024. Seconds the Motion	Motion: Gedeon Second: Kaden Vote: Unanimous Motion: Kaden

		Second: Gedeon Vote: Unanimous
5. Discussion on subdivision items such as: a. Who the city wants their administrative land use authority to be for the preliminary review process and final review process. b. Who the appeal authority would be after the 4th and final review if there is a dispute. c. Which land use authority holds the public hearing. d. The distance within which all property owners must be notified of the proposed subdivision. e. How long an application and preliminary approval is valid before it expires.	Devan Fowles is present and discusses a timeline and explains what we need to do before he can go in and update the subdivision code. He talks about some grants available and options for the TPA (Technical Planning Assistance) grant through UDOT. Tami provides a current copy of the Sterling Land Use Code, see attached. Devan provides the points to go over below and provides a scenario (example of what it would look like). Summary of process (Concept, preliminary, final and geological hazard): Devan discusses a concept plan review. Sam asks if an engineering firm can be consulted during the approval process and Devan states yes at the homeowners expense. Sam states that some towns have the builder pay a fee (several hundred dollars) for the town to have it reviewed by an engineer. This would take place prior to presenting to the Commission for approval. Devan talked about checklists and how helpful they are. He offered putting a subdivision checklist together. Devan explains that once you give a list to a builder, you cannot add anything else to it. Make sure it's in your code. Once a formal completed application (all items completed and fee is paid) is submitted, you have 40 days to review/address. If not approved, you reject and they start all over. Once approved, you go to the land use authority (City Council is out of it and do not get to approve it). It is the council's decision of who the preliminary reviewer is. The final reviewer cannot be the council or the planning and zoning commission. It could be the town recorder/clerk (which is just checking that everything on the list has been done). It should be a town employee that takes it to the county to be recorded—do not give it to the builder to take to the county for recording. If there is a geological hazard, there is NO TIMELINE. Council discusses the current definition of subdivisions and possibly re-defining it. Discussion on plats, Devan suggested at the time to require a plat on all subdivisions	

f. The additional submittal contents accompanying the applications, plat, drawing requirements, and subdivision improvement plan. g. The conditions for review as it relates to public facilities. h. The signatures on the final plat demonstrate approval by the city.	because we are not doing more than 10 subdivisions a year. Once a subdivision is approved, it is approved for life, yet a zoning permit of the local jurisdiction and the building permit from the county is another issue. a. Who the city wants their Administrative Land Use Authority to be for the preliminary review process and final review process. Most communities are having their Planning Commission be the Land Use Authority for the preliminary process and the staff member over zoning be the Land Use Authority for the final. <i>The Commission agrees it will be the Planning and Zoning Commission.</i> b. Who the Appeal Authority would be after the 4th and final review if there is a dispute. Either planning commission during preliminary review or staff member during final review. Most communities are holding the required public hearing with their Planning Commission. <i>The Commission agrees that it will be the Town Council.</i> c. Which Land Use Authority holds the Public Hearing. Either planning commission during preliminary review or staff member during formal review. Most communities are holding the required public hearing with their Planning Commission. <i>The Commission agrees that it will be the Planning and Zoning Commission.</i> d. The Distance within which all property owners must be notified of the proposed subdivision. Most communities use a 300-foot radius for such notifications. <i>The commission agreed that it will be 300 feet.</i> e. How long an application and preliminary approval is valid before it expires. It is 18 months for most communities. <i>The Commission agreed on 18 months.</i> f. Any additional submittal contents accompanying the application, Plat, drawing requirements, and subdivision improvement plan. Devan will get some suggestions based on other similar communities and review that with the Commission. Judy states concern about water lines. Discussion on infrastructure. This is not final yet, Devan will get back to the commission with suggestions. g. Any conditions for review as it relates to public facilities.	
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	Devan suggests putting in something general such as approval of subdivision does not guarantee a permit and a feasibility letter for the power company and the feasibility of bringing water. Also if there is no capacity of the town, it cannot be guaranteed. <i>This is the general idea, which the commission all agreed on.</i> h. Signatures on the final plat demonstrating approval by the city. Other communities are doing the Mayor, land use authority, city attorney. Some communities like to have all entities related to the infrastructure or at least one person signing that the city has approved it. Discussion on having a Fire Chief, Water Master, Power Company, Irrigation company, Gas (natural and propane) Company or possibly an outside engineering firm. If we go with an outside engineering firm, it would be a service contract and the charge would be passed to the applicant and this would be a long-term contract. Devan lists some of the towns and cities they contract with. <i>The Commission agrees on having the Mayor and Planning Commission Chair.</i> Kaden asks about the timeline and if we will be done by the end of the year. Devan states he can get the code done in about 4-5 weeks and does not anticipate many redlines and then it can be presented to the commission with public hearing and so fourth. Devan will have a draft ready for review by the first week of Sept to give the commission time to review it before the anticipated public hearing in October. The Commission will talk about the TPA grant in October and the commission discussed some training that Devan can do. Devan will keep in contact with Judy.	
6. Adjournment	Gedeon makes a motion to adjourn the meeting. Kaden seconds the motion. Meeting adjourned at 9:19	Motion: Gedeon Second: Kaden Vote: Unanimous

Minutes Approval

By: _____ Date: _____ Attest: _____ Date: _____

Commission Chair, Judith Wadley

Clerk/Recorder, Kris Winkel

Commission Members Initials:

Gedeon Jarvis: _____

Kaden Hanks: _____

Laura Patton: _____

Terry Brewer: _____