



MINUTES OF THE CARBON COUNTY PLANNING COMMISSION MEETING
-October 1, 2024

IN ATTENDANCE

Gary Taylor, Chairman
Kurt McFarlane, Vice Chairman
Jeff Peters
Lisa Simmons
Paul Anderson
Oran Stainbrook
Bradley Marston

STAFF

Todd Thorne, Planning & Zoning Administrator
Doris Johnston, Administrative Assistant
Commissioner Larry Jensen

EXCUSED

Scott Bruno
Trapper Burdick

OTHERS ATTENDING

None

1 The meeting began at 4:30 pm

2

3 1) Call to Order and Roll Call

4 Chairman Gary Taylor took a roll call and a quorum was present

5 2) Pledge of Allegiance

6 3) Meeting Minutes

7 Jeff Peters asked the difference between excused and absent on the minutes. Todd Thorne said excused
8 means you notified us and absent means you did not. Jeff Peters asked to change that he was excused on
9 the minutes. The minutes will be updated with this correction.

10 Motion:

11 *Paul Anderson made a motion to approve the minutes from September 10, 2024 with this correction. Jeff*
12 *Peters seconded. By unanimous decision, motion carries.*

13 4) Review and discussion of annual updates to the Carbon County Development Code Updates on

14 Previous Items and Upcoming Projects - Todd Thorne

15 Todd Thorne said sections 1-4 have no changes.

- 16 • Section 5-Conditional Use Permits

17 ○Clarify who can approve extensions on conditional use permits.

18 Todd explained the intent of this is whoever approved the conditional use permit is the land use
19 authority to extend it. Todd added on some of the simpler conditional use permits, he can approve. Big
20 industrial projects, vape shops, solar fields, and similar projects need to come to Planning Commission.

If these types of projects expire, the Planning Commission will need to hear and possibly extend the conditional use permit. If it is a simpler project that Todd Thorne approved, he will do the possible extension. Todd added whoever is the signee on the conditional use permit is the one that needs to extend it.

Jeff Peters asked for a correction to the verbiage to read “designated” instead of “design”. Todd will make the correction.

Todd added the code states in Section 5.1.7 that the large-scale reviews are done by the Planning Commission and reviewed examples of these projects.

- Section 6-Subdivisions
- 6.3.2-Defined terms were added:
 - “Administrative land use authority” means an individual, board, or commission, appointed or employed by municipality, including the staff or the planning commission. It does not include the Board of County Commission or a member of the County Commission
 - "Review cycle" starts when the land use application is complete
- 6.3.3-Preliminary Subdivisions applications are to be reviewed and approved by the Planning Commission. Final approval to be reviewed and approved by the Director of Planning. Todd added this is to make the subdivision process go faster.
- 6.3.4-Pre-Submission Conference-The applicant can do a concept plan, but it is not required to come to a meeting.

Chairman Gary Taylor asked on 6.3.7 if the plan prepared is by a licensed engineer or surveyor. Todd Thorne said we need to clarify this and that the construction drawings need to be done by a licensed engineer and the survey plat needs to be done by a licensed surveyor.

Kurt McFarlane asked if a zone change still goes to the County Commission. Todd Thorne said yes; this is still a legislative item.

Jeff Peters had a question on 6.10.3-Existing Farmhouse Subdivision. Todd said the intent of 6.10 is when there is a house with a bunch of farm acreage to be able to separate the house from the farm with a simple process.

Jeff Peters asked about 6.12.1. -Streets, Roads, and Travel Ways. Todd explained the intent of this section is that all County roads are built to county standards. Also, that if it is a private road, the County will not take it over unless it meets all County standards. Jeff noted there is missing verbiage on “currently adopted by the?” Todd said this should say “currently adopted by the County and this Code” and this will be corrected.

Jeff asked if there was a line #2 and #4 on this section. Todd was not sure about this and it will be reviewed for the final draft.

Jeff Peters asked about 6.12.12-Streetlights. Todd Thorne said this has always been in the Code. All cost of streetlights will be the property owner's responsibility and not the County's.

Todd Thorne said another change is we added a definition of what "substantial action" is. Todd Thorne read the definition. We have had to deal with this and felt it was needed. Todd added if this needs to be modified, the Planning Commission can do that.

Todd Thorne added in Section 6 to possibly add the Small Unit Developments/Infield lot ordinance. The idea behind this is to allow a little higher density where there are infield lots and smaller areas to develop if it meets the criteria. Todd continued, this could be allowed in multi-family or commercial zones. Setbacks would be 5 feet all around. Jeff Peters asked about 70 ft. setbacks in some areas. Todd said most of our residential zones are 25-30 feet setbacks. Todd said the large setbacks could be in the building code in the industrial zones.

Todd read through some of the requirements for the Small Unit Development:

- Height requirements;
- Small lot homes shall be structurally independent;
- All structures shall be on a permanent foundation;
- No shipping containers allowed
- At least 2 off street parking spaces
- Minimum of 600 square feet (sf)
- Density of 1 building per 3000 sf
- Private roads at 24 ft wide
- Storm water study
- Utilities
- Sidewalks
- Open space requirements
- Comply with any local, state regulations

Jeff Peters had a question on the 600-sf size. Todd Thorne said the smallest size we have ever allowed is the 600 sf. If you go smaller than that, it could be a tiny home at 400 sf or less. There is a whole section on tiny homes in the building code and the requirements for them. Jeff Peters asked if we should make the requirement 500 sf. Todd Thorne explained it can be reviewed if the Planning Commission wants to consider this. Todd Thorne added it would be difficult to get the minimum room requirements with a home smaller than a 600 sf.

Commissioner Larry Jensen commented there is some wisdom in having that break in the square feet. If we are going to have tiny homes, they need to be in a specific designated area and development, not just randomly in the County. This is to protect existing homeowners from these tiny homes being dropped in anywhere.

Kurt McFarlane asked if we have ever had any applications for a tiny home. Todd Thorne said nobody has ever submitted anything, but they have called to ask. The smallest have been Accessory Dwellings of 1000 sf. Commissioner Larry Jensen said we have had some tiny home requests, but they have been far out in the County where there is not access for emergency response.

Jeff Peters asked about shipping container homes. Todd Thorne said we have had requests for these and it is possible, but they need to meet all the building code requirements and there is a lot of work to it. Todd Thorne said we do have regulations on shipping containers in certain zones.

Todd Thorne said we can modify the small unit development as the Planning Commission wants to and this is just an idea. Jeff Peters asked if we had an actual size parameter defining a small unit development. Todd Thorne said it must be in a multi-family or commercial zone where the density is higher at 1 per 3000 sf.

Todd Thorne said we also updated Section 6- Engineering Design Construction Standards. Todd explained sometimes utilities in the road are not put in at the correct depth. If the utility does not specify, the requirement would be at least 24 inches below grade. Commissioner Larry Jensen said 2 feet is a good depth. Commissioner Larry Jensen explained we are rebuilding Soldier Creek Road to the Savage yard. The phone lines there are 6-8 inches deep and the County is liable if they are hit and added these should have been deeper.

Kurt McFarlane said UDOT went to a minimum 5 ft in their right-of-way and have a lot of problems with utilities. Commissioner Larry Jensen said typically the phone lines would go 2 ft, gas is 3 ft, power is 40 inches. Commissioner Larry Jensen suggested working with Daniel Luke, Road Supervisor, to determine the depth needed. Todd Thorne agreed and will note it at 36 inches and work with Daniel to see what he suggests. Chairman Gary Taylor asked if PRWID has depth requirements. Todd Thorne said yes, and we put some additional standards in the code due to some issues in the past and know where the lines are now. Commissioner Larry Jensen commented we are trying to make sure the sub-grades are in place early in the subdivisions development.

Jeff Peters asked about Section 6.9.4b verbiage under “Unique Circumstances” on the word *aliquot*. Todd Thorne said this is a survey terminology meaning quarter-quarter of a 40-acre parcel.

Oran Stainbrook asked if they could get the highlighted version of the updates of the draft code. Todd Thorne said he will send this out.

Todd Thorne said to plan on a public hearing in December 2024 and make the changes and send to County Commission either at the second meeting in December or January 2025

5) Updates on Previous Items and Upcoming Projects - Todd Thorne

Todd Thorne gave the updates.

In November we may have an agenda item for some potential development in Scofield in the Bolotas

area for 4 lots. Also, Matt Brown, Scofield Mountain Estates is requesting preliminary approval for 8 new lots.

Todd added the meeting will be the 2nd Tuesday of November due to election day.

6) **Adjourn**

Motion:

Kurt McFarlane made a motion to adjourn at 5:07 pm. Lisa Simmons seconded. By unanimous decision, motion carries.

Gary E Taylor

Carbon County Planning Commission Chairman/Vice-Chairman