MINUTES OF THE CARBON COUNTY PLANNING COMMISSION MEETING
-July 2, 2024

IN ATTENDANCE
Gary Taylor, Chairman
Kurt McFarlane, Vice Chairman
Jeff Peters
Trapper Burdick
Lisa Simmons
Oran Stainbrook
Scott Bruno

ABSENT
Paul Anderson
Bradley Marston

OTHERS ATTENDING
Antonio Resta, RC Solar
Corey Williams
Members of the public
Public comments by: Peter Hess, Ken Bigelow, Brenda Bigelow, Tim McFarland, Glen Huff, Michelle Slaughter

STAFF
Todd Thorne, Planning & Zoning Administrator
Doris Johnston, Administrative Assistant

The meeting began at 4:30 pm

1) **Call to Order and Roll Call**

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

2) **Pledge of Allegiance**

3) **Meeting Minutes**

Jeff Peters made a motion to approve the minutes from May 7, 2024. Kurt McFarlane seconded. By unanimous decision, motion carries.

4) **Conflict of Interest on Agenda Items**

Lisa Simmons has a conflict on Item 5 and recused herself.

5) **Review and possible approval of an extension on the Conditional Use Permit for RC Solar for a Solar Generating Facility granted on August 2, 2022 located on multiple parcels north of Hwy 6 & Energy Drive in Wellington**

Antonio Resta from RC Solar, RPlus Energies, approached the podium. Todd Thorne gave a background. Todd added the conditional use permit was issued about 2 years ago and RC Solar is requesting an extension. No substantial improvement has been done.

Scott Bruno asked Mr. Resta if there was any change to the scope of the project. Mr. Resta said it is the same. Mr. Resta said we have not started yet but would like to start on Quarter 1 and 2 of next year.

Trapper Burdick verified that they are still moving forward. Mr. Resta said yes that is correct within the 1-year timeframe. Todd Thorne does not have any concerns with this and added it is the same requirements as before. It is just changing the date, and this will give them enough time to move forward.

Motion:

Scott Bruno made a motion to approve the extension on the RC Solar Conditional Use Permit. Jeff Peters seconded. By unanimous decision, motion carries.

Lisa Simmons returned to her seat with the commission.

6) **Public Hearing on a request to change the Carbon County Zoning District Map from RR-1 to M&G located on parcel 02-1688-0000**

Corey Williams explained he acquired this property a year ago. Mr. Williams said they are transplants from Washington and has resided in Price for about 13 months. Mr. Williams is seeking to get a zone change to Mining & Grazing after speaking with staff. The property is up against State land and he had the idea to share this for recreational purposes. Mr. Williams continued that this was the next step in making this happen.

Motion:

Jeff Peters made a motion to open the public hearing at 4:37pm. Scott Bruno seconded. By unanimous decision, motion carries.

Public Comment

Peter Hess said he lives at the end of 710 W in the South Meadows Subdivision. Mr. Hess was confused why this zone change would be considered. Mr. Hess said the mining part of the proposed change makes him nervous. There are three subdivisions out there and are all single family. Mr. Hess said until Mr. Williams can present a complete plan and jump through all the hoops for a zone change, it would be premature to approve anything at this time. Mr. Hess would like to know what this mining change will let him do.

Ken Bigelow said his property borders Mr. Williams property. Mr. Bigelow was confused on what the mining means out there. Mr. Bigelow explained a lot of us have had to wash our cars and campers with all the wind and construction going on. Mr. Bigelow said all the wildlife is gone now because of all the roads Mr. Williams is putting in. Mr. Bigelow is confused on why we are even having a meeting on rezoning a residential area. Mr. Bigelow had concerns on the road and said there is only one way in and one way out. Mr. Bigelow said this is not a commercial area. This will benefit Mr. Williams by making money but won't benefit the rest of the neighborhood by making it crowded and busy. Mr. Bigelow would like more details and is 100% against the rezone.

Todd Thorne showed the concept plan that was submitted by Mr. Williams on the projector. Todd said the concept is for RV sites, tent sites and some cabin sites. A guest ranch is allowed in the Mining & Grazing zone. Todd said this is a little denser than I was anticipating and read the definition of a guest ranch:

> *A use incorporating two or more guest rooms, other than a lodging house, hotel, or motel, and including outdoor recreational facilities, such as but not limited to horseback riding, swimming, tennis courts, shuffleboard courts, barbecue and picnic facilities, and dining facilities intended primarily for use by the guests of the guest ranch.*

Based on this concept, Todd is hesitant to give a positive recommendation due to the density. If it were to meet the scope of a guest ranch, it could be possible to work through. Todd added a conditional use permit would be required also for a guest ranch including water & septic requirements. Trapper Burdick had a question on campgrounds. Todd Thorne explained campground facilities are different than a guest ranch.

Public comment continued

Brenda Bigelow asked for a list on the Mining & Grazing uses. Miss Bigelow asked how long people would be permitted to stay. Miss Bigelow had concerns on permanent residents and junk. Todd Thorne said this info is available on the County website and he will send the link. Jeff Peters said it could be found in the County Plan pages 72-80. Todd Thorne said in a private camp facility there are regulations and typically the stay is 14 days. This is something that would be addressed.

Tim McFarland said one of the biggest concerns he has is the need for a second access. Mr. McFarland said they only have the access up the hill to see traffic. Mr. McFarland said we have had a tree on the road and a power pole in the road and had to wait until the road got cleared off. Mr. McFarland suggested going back to the meeting minutes prior. Mr. McFarland said the County needs to stand behind what they said they were going to do as far as a second access. Mr. McFarland added there is not adequate fire protection here. Mr. McFarland said there are things to be looked at before things happen.

Glen Huff said he has lived in this area since 1982. Mr. Huff said there has been several instances where the road has been shut down. Mr. Huff had concerns on if there was a dire emergency, there would be no access for rescue trucks to get through. Mr. Huff had concerns on people traveling in and out of there and worried about children playing in the road. Mr. Huff explained where the access was. Mr. Huff said there needs to be improvements to this road. Mr. Huff said most of these types of places are not in a rural area and are in commercial and outskirt areas.

Michelle Slaughter had a few questions. Miss Slaughter asked for a copy of the proposal. Miss Slaughter said an idea of a recreational area more than a guest ranch is a big deal out in our neighborhood. Miss

Slaughter asked for a better idea of the proposal.

Todd Thorne said this is all public information and the concept is 16 RV sites, 6 cabin sites, 5 tent sites, 2 bath facilities, and a recreational area. Todd Thorne can give her a copy of this.

Miss Slaughter asked if there is a swimming pool in the plan. Todd Thorne said this is conceptual and is not sure there will be a swimming pool.

Todd Thorne explained when someone comes in with an idea, we try to help them, and anyone can petition to change a zone of a property to whatever they choose. This is their right as a property owner. It can be reviewed by the Planning Commission and then by the County Commission for approval.

Michelle Slaughter also had concerns about adequate fire protection with all the sites and the access to the area. Miss Slaughter said if this does go through, the drainage is also an issue and this development may cause more issues. Miss Slaughter asked about noise ordinances.

Corey Williams said it is not his hope to cause any waves or hardship. Mr. Williams explained his concept has everything and the kitchen sink in it because there are many processes after this. All those processes will determine what is and what isn't allowed. Mr. Williams is also a current resident in the neighborhood. The idea is to not be like every other place and wants to do the opposite. Mr. Williams said they are planning to put their permanent home there. Mr. Williams explained he does not have the desire to push the extreme and wants a place to bring family, that is not a gravel yard, and keep the nature and trees with access to the state lands. The amenities are a depiction of what he could do. Mr. Williams added he just wants to do things that are great for families in a quiet place to be and he would obey all the laws that exist. Mr. Williams commented because we live there, we have certain expectations and we wouldn't want junk and problems there and he shares some of the same desires of the neighbors. Mr. Williams was not aware of the access issue.

Lisa Simmons asked about a plan for a different access.

Todd Thorne replied over the years there was concerns about access and limited egress. There was a traffic study done years ago to identify the volume. At that time in the early 2000's, it was at 13% of capacity. Todd added there has been additional development since then, but it hasn't exceeded the capacity of the road. Todd added there has always been concerns about a secondary access and we are aware of it and are trying to solve this. Todd continued there was never a moratorium placed as far as limiting building there. Todd commented there was concern where 2000 South came out to Highway 6. Now that this is rerouted, and the site distance has improved, it has solved one of the issues that was brought up. Todd said ideally there would be a secondary access and continued we have a lot of subdivisions that are single access that are concerning. Sometimes our topography does not allow us to do two accesses.

Jeff Peters asked if we have ever looked at the disaster mitigation plan for the County to see if there is any correlation between only having a single access point if there was a fire or natural disaster. Todd Thorne answered we have just updated our Natural Hazard Mitigation Plan and Todd did not recall anything that correlates any of our single access subdivisions with concerns or activity.

Public comment continued

Kent Bigelow was confused on how something like a zone change comes about.

Trapper Burdick responded there are processes to do this and anybody can come in and request a zone change for their piece of property. Trapper Burdick continued there are steps they must follow and information they must submit to Todd Thorne to get on the agenda. Mr. Williams has provided the items that are required, and requested this, and it goes in front of the board for approval, denial or table and then it can be moved onto the County Commission. Jeff Peters said it is on the County website in the General Plan for the public to review at any time. Trapper Burdick added it was also advertised and this is how the public becomes informed.

Mr. Bigelow commented it is not a matter of the public, it is just what the Commission decides right? Jeff Peters said it is based on the criteria in the County Plan. Mr. Bigelow added even if the neighborhood is against it, the Commission can still go ahead with it. Trapper Burdick said yes that is true and we make a recommendation to the County Commission. Mr. Bigelow commented even if it benefits the owner but not the neighborhood, there is still a chance of being approved. Trapper Burdick responded we make the decision to improve for the county and everyone else and not just the individual.

Peter Hess commented we have 3 other RV sites and he would be competing with these. Mr. Hess added the water pressure is low out there. Mr. Hess continued we have 6 hydrants for 61 homes and gave some distances from homes. Mr. Hess would like one more hydrant.

Glen Huff commented there was no advertisement of this property for sale. Trapper Burdick explained it is not our business how private property owners do transactions. Trapper Burdick said if it is government property it needs to be posted, but not private. Mr. Huff is concerned about the public coming through his neighborhood. Mr. Huff said this is a quiet peaceful residential area.

Motion:

Trapper Burdick made a motion to close the public hearing at 5:17pm. Kurt McFarlane seconded. By unanimous decision, motion carries.

Scott Bruno asked if there are any know issues from PRWID with fire flow. Todd Thorne said there are concerns for the lack of fire hydrants but does not know the exact pressures. Kurt McFarlane said there are probably 6-inch lines out there and the fire hydrant space requirement was 1000 feet instead of 500 ft now.

Trapper Burdick asked what requirements would come if this was approved. Todd Thorne said they would have to meet more of the definition for a guest ranch. They would need to meet the conditions such as fire hydrant, access, noise, trash and debris, dust, etc. with a conditional use permit. Trapper Burdick asked with this higher density what would be an acceptable zone. Todd Thorne answered as this is laid out now, it would need to be commercial zone fit.

Oran Stainbrook asked what is permissible right now in the current zone. Todd Thorne said in the RR-1 zone, these 29 acres could potentially subdivide into 1 acre lots and each one could have a home. Todd Thorne said for an Airbnb it must have 1 parking spot per bedroom and it can have an accessory dwelling unit on it up to 1000 square feet.

Jeff Peters asked if the road width going in there an issue. Todd Thorne said based off the traffic study and capacity, it is not an issue and it was at 13%.

Chairman Gary Taylor allowed public comment from Glen Huff.

Glen Huff had questions on if this can be zoned commercial. Trapper Burdick replied that Mr. Williams is asking for Mining & Grazing and it was just a discussion. Trapper Burdick added it can be subdivided to do homes now if he met all the requirements. Todd Thorne said it was a hypothetical question of what zone would this conceptual plan fit in and that would be commercial. Mr. Huff had confusion on this information. Jeff Peters explained it would have to meet the criteria contained in the County Plan.

7) **Review and recommendation decision to County Commission on a request to change the Carbon County Zoning District Map from RR-1 to M&G located on parcel 02-1688-0000**

Motion:

Kurt McFarlane made a motion to send a negative recommendation to County Commission due to the traffic concerns. Lisa Simmons seconded. By majority decision, motion carries.

Trapper Burdick voted-Nay

8) **Updates on Previous Items and Upcoming Projects - Todd Thorne**

Todd Thorne said he does not have anything for the August meeting yet. Todd said the Maverik in Price City has started construction.

Todd added there is an Amazon Fulfillment Center south of the UPS building going in. All the civil items are being reviewed.

Todd said there is also a 168-unit apartment complex in Price City behind Tractor Supply. Todd added they did Geotech studies and he was surprised that it was not swampy.

Todd said there is also a tunnel carwash also going in next to Pizza Hut.

Kurt McFarlane asked if there is any new info on Blackhawk. Todd Thorne said they are working on the railroad realignment easement.

9) **Adjourn**

Motion:

Kurt McFarlane made a motion to adjourn at 5:31 pm. Trapper Burdick seconded. By unanimous decision, motion carries.

Gary E. Taylor

Carbon County Planning Commission Chairman/Vice-Chairman