

# **Sanpete County Planning Commission Meeting**

June 11, 2025 6:30 P.M.

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

Attendees: Planning Commission Co-Chair Cody Harmer and Board Members: Claudia Jarrett, Gene Jacobson, Justin Atkinson and Reed Hatch. Sanpete County Zoning Administrator Steven Jenson and Sanpete County Deputy Clerk Heather Pyper. Also in attendance is Sanpete County Commissioner Mike Bennett. Planning Commission Chair Curtis Ludvigson and Board Member Jo-Anne Riley have been excused.

Meeting is called to order by Co-Chair Cody Harmer.

## **I. Approval of the Agenda**

The motion is made by Reed Hatch to approve the agenda.

The motion is seconded by Claudia Jarrett. All in favor, none opposed and the motion passes. Vote by voice: Cody Harmer aye; Claudia Jarrett yes; Gene Jacobson, aye; Reed Hatch, aye. Justin Atkinson arrives at 6:33 and was unable to vote by voice.

## **II. Discussion for possible approval for a 1 lot Small Subdivision (Allred Dream) application by Shaylen Allred & Robin Wentz. The Parcel is located South of Fountain Green in the Agriculture Zone. The subdivision would contain 1 lot of 9.75 +/- acres. Parcel # S-21707X4**

Shaylen Allred and Robin Wentz are present. Steven Jenson presents the item. The Mylar copy of the survey has been reviewed and approved by the Recorder's Office and submitted for final review by the Planning Commission. An Owner Affidavit has been signed, notarized, and submitted. A septic permit has been obtained from the Central Utah Health Department. A letter from Rocky Mountain Power has been submitted, indicating their intent to remove the existing power poles and bury the power lines. The Utah Division of Water Rights shows the applicants have been approved for 1 EDU at 1 acre-foot for domestic use, which meets the minimum requirement. The water rights are in the applicants' names. A well has been drilled, according to the Division's records, and a drill report has been submitted. The Sanpete County Road Supervisor has signed off on access to the property from the county road. A letter from the County Code Enforcement Officer confirms he has visited the property and found no county ordinance violations. A Police/Fire/Ambulance waiver has

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been signed and notarized by the applicants. Property taxes are current and paid. A current title search has been submitted, showing no issues with the property. The application fee has also been paid. This application meets all ordinance requirements, and the Zoning Department recommends approval by the Planning Commission. Mr. Harmer states the Planning Commission reviewed this application thoroughly last month, with the main question concerning the power lines. Mr. Jenson notes that the letter from Rocky Mountain Power was forwarded to the Commission Members. Mr. Harmer asks if there is a timeline for when the power poles will be removed. Mr. Jenson responds that there is not. Mr. Jacobson asks if the work order number was included in the email. Ms. Wentz states that the last time she spoke with McKay from Rocky Mountain Power, he was working with Steven Jenson to determine when the poles were originally installed. Mr. Jacobson reads from the May minutes: "Ms. Riley states that the ordinance is in place and cannot simply be changed. Ms. Wentz asks if a letter from Rocky Mountain Power stating their willingness to remove the poles would suffice for the application to move forward. Mr. Jacobson replies that it would, only if the promise is bonded. Mr. Atkinson suggests that the applicants obtain a more formal, contractual agreement from Rocky Mountain Power confirming they will relocate the poles." Mr. Jacobson asks Mr. Jenson to read the letter submitted by Rocky Mountain Power. Mr. Jenson reads: "Thank you for the discussion today. I appreciate the clarity you provided regarding the power lines on Dax Lane, south of Fountain Green. As discussed, the Rocky Mountain Power team will begin assembling the job and plans to underground the lines. This process may take a few months to complete. You mentioned that with written confirmation from Rocky Mountain Power, Sanpete County could move forward in approving the developer's permits. We hope this message provides what's needed for the County to move forward with that approval." Mr. Harmer states he feels confident about the letter but emphasizes that he wishes there were a specific start and finish date. Ms. Jarrett states she is comfortable with the letter, as it came from the Regional Business Manager, and it feels like there is a strong commitment to follow through. Ms. Wentz apologizes for the frustration she has expressed.

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The motion is made by Gene Jacobson to approve the 1 lot Small Subdivision (Allred Dream) application by Shaylen Allred & Robin Wentz. The Parcel is located South of Fountain Green in the Agriculture Zone. The subdivision would contain 1 lot of 9.75 +/- acres. ***Parcel # S-21707X4.***

The motion is seconded by Reed Hatch. All in favor, none opposed, and the motion passes.

### **III. Discussion for possible approval for a 1 lot Major Subdivision (Earl Acres) application by Chet & Amy Earl. The Parcel is located North of Milburn in the Agriculture Zone. The subdivision would contain 1 lot of 5.62 +/- acres. Parcel # S-20626X1**

Chet and Amy Earl are present. Steven Jenson presents the item. The Mylar copy of the survey has been reviewed and approved by the Recorder's Office and submitted for final review by the Planning Commission. An Owner Affidavit has been signed, notarized, and submitted. A Septic Permit has been obtained from the Central Utah Health Department. A letter from Fairview City has been submitted, stating their intent to provide power to the subdivision. Power has been stubbed to the property. The Utah Division of Water Rights shows the applicants have been approved for 1 acre-foot of water for domestic use, meeting the minimum requirement. The water rights are in the applicants' names. A well has been drilled, and a copy of the drill report has been submitted. The Sanpete County Road Supervisor has signed off on access to the property from the county road. A Police/Fire/Ambulance waiver has been signed, notarized, and submitted by the applicants. Property taxes are current and paid. A copy of the current title search has been submitted and shows no issues with the property. This application meets all ordinance requirements, and the Zoning Department recommends approval by the Planning Commission. Ms. Jarrett asks for confirmation regarding whether the power has been stubbed underground. Mr. Earl states there is an existing power pole on the property that was installed a year ago, and they intend to run power underground from the pole to their house. Mr. Harmer asks for the location of the pole. Mr. Earl indicates the location on the Mylar. Mr. Harmer clarifies that the existing pole is located on their property. Mr. Earl confirms this is correct. Mr. Earl adds that Fairview City recommended they install an additional pole and then run power underground

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from the existing pole to the new one and on to the house. Mr. Jacobson notes that, since the pole is on private property and not in the right-of-way, this presents a slightly different situation. Ms. Jarrett explains that when Gene read the ordinance, it stated: "Or at the discretion of the Planning Authority." A discussion ensues regarding the power poles. Ms. Jarrett then points out that the Preliminary Plat does not show the location of the well on the property. Mr. Harmer states that is a minor correction.

The motion is made by Claudia Jarrett to approve the application a 1 lot Major Subdivision (Earl Acres) application by Chet & Amy Earl. The Parcel is located North of Milburn in the Agriculture Zone. The subdivision would contain 1 lot of 5.62 +/- acres. ***Parcel # S-20626X1***. Pending the addition of the well location on the Preliminary Plat.

The motion is seconded by Reed Hatch. All in favor, none opposed, and the motion passes.

#### **IV. Discussion for possible approval for a 1 lot Small Subdivision (Morstad) application by Dean & Brandi Morstad. The parcel is located Southwest of Fountain Green in the Agriculture zone. The subdivision would contain 1 lot of 10.09 +/- acres. Parcel # S-20175**

Dean Morstad is present. Steven Jenson presents the item. The Mylar copy of the survey has been reviewed and approved by the Recorder's Office and submitted for final review by the Planning Commission. An Owner Affidavit has been signed, notarized, and submitted. A septic permit has been obtained from the Central Utah Health Department. The applicant plans to install ground-mounted solar panels to provide power to the property. As a result, a Conditional Use Permit will be required. The Utah Division of Water Rights shows that the applicant has been approved for 1 EDU at 1 acre-foot for domestic use, which meets the minimum requirement. The water rights are in the applicant's name. The Sanpete County Road Supervisor has signed off on access to the property from the county road. A Police/Fire/Ambulance waiver has been signed and notarized by the applicant. Property taxes are current and paid. A current title search has been submitted, showing no issues with the property. All required fees have been paid. This application meets all ordinance

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requirements, and the Zoning Department recommends approval by the Planning Commission. Ms. Jarrett confirms that the fee has been paid and that the easement has been included on the plat.

The motion is made by Claudia Jarrett to approve the 1 lot Small Subdivision (Morstad) application by Dean & Brandi Morstad. The Parcel southwest of Indianola and is located in the Agriculture Zone. The Subdivision would contain 1 lot of 10.09 +/- acres. ***Parcel # S-20175.***

The motion is seconded by Reed Hatch. All in favor, none opposed, and the motion passes.

V. **Discussion for possible approval for a 1 lot Major Subdivision (S. Layton) application by Shaun & Amanda Layton. The Parcel is located West of Manti in the RA-2 Zone. The subdivision would contain 1 lot of 10.60 +/- acres. Parcel # S-7061**

Shaun and Amanda Layton are present. Mr. Hatch states he believes this parcel should be grandfathered unless it has been split. Mr. Harmer asks if the property has been split. Mr. Layton responds that it has not—it was separated from the surrounding property approximately 25 years ago. Steven Jenson presents the item. The Mylar copy of the survey has been reviewed and approved by the Recorder's Office and submitted for final review by the Planning Commission. An Owner Affidavit has been signed, notarized, and submitted. A septic permit has been obtained from the Central Utah Health Department. A power bill from Manti City has been submitted, confirming that power is available on the property. The Utah Division of Water Rights shows the applicants have been approved for 1 acre-foot of water for domestic use, meeting the minimum requirement. The water rights are in the applicants' names. A well has been drilled, and a copy of the drill report has been submitted. The Sanpete County Road Supervisor has signed off on access to the property from the county road. A Police/Fire/Ambulance waiver has been signed, notarized, and submitted by the applicants. A City Buffer Zone Form has been signed by Manti City. Property taxes are current and paid. A current title search has been submitted and shows no issues with the property. All required fees have been paid. This application meets all ordinance

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requirements, and the Zoning Department recommends approval by the Planning Commission. Mr. Harmer raises a concern about the distance from the road, noting that the County requires a public safety turnaround every 500 feet. Mr. Layton states that he plans to construct a driveway into the property. Mr. Atkinson inquires about a waiver. Mr. Jacobson explains that if there is a secondary access, a waiver can be signed. Mr. Atkinson then asks about fire mitigation. A discussion follows regarding the public safety turnaround. Mr. Jacobson questions why the driveway is not shown on the plat, noting that it is required for a major subdivision. Mr. Harmer asks whether the source protection zone is included on the preliminary plat. Mr. Jacobson confirms that it is not. Mr. Jacobson also raises concerns about the title report, noting that the report submitted is from 2021, is in the Tolbertson name, and references three easements that are not shown on the plat. Mr. Layton responds that the easements are shown on the plat. Mr. Jensen adds that all of the easements are for road access. Further discussion ensues regarding the easements.

The motion is made by Gene Jacobson to approve the application for a 1 lot Major Subdivision (S. Layton) application by Shaun & Amanda Layton. The Parcel is located West of Manti in the RA-2 Zone. The subdivision would contain 1 lot of 10.60 +/- acres. ***Parcel # S-7061***. With the exception of the following items, all requirements have been met: the public safety turnaround must be included on the Preliminary Plat; the three easements referenced in the 2021 title report must be shown on the Preliminary Plat; and the water source protection area must be identified on the Preliminary Plat.

The motion is seconded by Reed Hatch. All in favor, none opposed, and the motion passes.

### **VI. Discussion for possible approval of Infrastructure Agreement and Bonds to complete wells for Grandview Mountain Estates Subdivision**

Chris Cook and Brady Andersen are present. Steven Jensen presents the item. The Infrastructure Agreement was updated to include the wells, roads, and power stubs, and has been submitted. There is a tentative date of June 16th for the asphalt installation. The power has been paid for and just needs to be scheduled for completion. Two separate bonds were

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obtained for the wells. Mr. Cook stated that two wells have already been drilled on Lots 23 and 25. Mr. Jacobson noted that he had spoken with Mr. Jenson regarding the Agreement. He shared some thoughts, stating that there are three types of surety bonds related to construction. Contract bonds rarely specify the exact liability of the contractor and the surety. Mr. Jacobson emphasized that the only mechanism the County has to ensure protection is through the requirements set forth in the plans, specifications, and work statements. These should be reflected in the Infrastructure Agreement. He noted that he and Mr. Jenson had discussed Section 1 of the contract, titled "Terms," which currently reads: "The parties have agreed upon the following terms: The Developer will install roads, power, and individual wells within two years of the date of this Agreement. When the roads and power have been completed, the Developer must notify the Zoning Administrator of Sanpete County of completed or bonded infrastructure." Mr. Jacobson proposed revising this section to state: "The parties have agreed upon the following terms, which are set forth in the approval minutes of the Final Plat." Mr. Hatch clarified that the original approval required the Infrastructure Agreement to be recorded, but the submitted version is not recordable. Mr. Jacobson further explained that when an Infrastructure Agreement is filed with an entity, the contractor typically hires an engineer to review the plans. The agreement should outline the specifications and associated costs. Once the work is completed, the engineer inspects the property and submits a letter to the County confirming that the work was done properly and according to the recorded specifications. Mr. Jacobson suggested adding an "Exhibits" page to the Agreement, listing the work to be completed, specifications, pricing, and a sign-off by the engineer. Mr. Jacobson also raised a question about Section 3, "Confidentiality," in the Infrastructure Agreement. Mr. Cook responded that they had used the original Infrastructure Agreement and modified it based on what they believed was discussed in the previous meeting. Mr. Jacobson recalled that during the last meeting with the Cooks, it was stated that asphalt was ready to be installed, but the County hadn't received confirmation. Now, the Cooks are reporting it will be installed on June 16th. Mr. Jacobson continued to read from Section 4 of the Infrastructure Agreement, titled "Closing or Termination," which states: "The roads, power, and individual wells will be installed in the development on or before March 12, 2027." A discussion followed about the time frame. Ms. Jarrett noted that the

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language "on or before" provides flexibility to complete the infrastructure before the 2027 deadline. Further discussion occurred regarding the "Exhibits." Mr. Cook expressed frustration, stating that they are frequently told they have everything in order, but then new issues arise when they come before the Commission. He hopes for clarity and a final resolution to avoid repeat visits. Mr. Jacobson emphasized that the Agreement must reflect what was approved when the Final Plat was accepted. Mr. Hatch noted that circumstances have changed—such as the bonds—and that the current Infrastructure Agreement has not yet been recorded. Mr. Harmer stated that the biggest concerns are how all the elements will come together and how the bonds will eventually be released. Mr. Andersen commented that they received poor information in the beginning, which is why they continue to return and ask many questions. He then asked how they could get the Agreement approved today so they can move forward. Mr. Jacobson replied that they need to present an Agreement that is acceptable to both parties and showed Mr. Andersen an example. Mr. Cook said that had they known earlier that specifications, breakdowns, and pricing were required, they would have prepared the Agreement differently. He asked what could be done to avoid another 30-day delay. Mr. Jacobson responded that it's difficult for the Board to approve an Agreement that doesn't explicitly state compliance with the original terms or include the necessary breakdowns. Ms. Jarrett noted that they requested bonding and an Infrastructure Agreement—and those were provided—yet now they're being told it won't work. She suggested removing the "Confidentiality" section, adding a line that says, "See Exhibits attached," and tentatively approving the Agreement pending submission of the Exhibits to the County Zoning Officer. Mr. Jacobson agreed to accept a revised Section 1 ("Terms") to read: "The parties have agreed upon the following terms, as set forth in the approval minutes of the Final Plat." He added that any changes made since then should be updated in the Agreement to reflect current requirements. Ms. Jarrett noted that the Agreement currently lacks any mention of maintenance. Mr. Harmer clarified that a Homeowners Association (HOA) has been set up and recorded. Additional discussion followed about the Exhibits. Mr. Jacobson concluded by stating that typically, before an Infrastructure Agreement is signed, the entity's attorney reviews the document, makes any necessary recommendations, and provides an opinion on whether they agree with the terms.



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The motion is made by Claudia Jarrett in moving Grandview Mountain Estates Subdivision Infrastructure Agreement to the County Commission. Pending the inclusion of Exhibits, working with Gene Jacobson and having the County Attorney review it.

The motion is seconded by Justin Atkinson. All in favor, none oppose and the motion passes.

## **VII. Discussion with John Chartier from the State of Utah Environmental Quality about Public Water Systems and individual wells for Major Subdivisions.**

Mr. Harmer thanks John Chartier for attending. Mr. Chartier introduces himself as a District Engineer working out of Richfield with the Department of Environmental Quality. Also present is Eric Larsen, the Environmental Health Director for the Central Utah Health Department. Mr. Chartier explains that a couple of months ago, someone contacted the Director of the Division of Drinking Water and said Sanpete County was seeking guidance on water-related issues, specifically referencing Grandview Mountain Estates and its 25 individual wells. Mr. Chartier states that he consulted with an attorney at the Attorney General's Office, who explained that while they typically do not regulate individual private wells, they do get involved once water is shared between parcels via a common well—especially when there are seven or more connections. He adds that if shared wells are developed contiguously by one developer, the state may consider all lots as part of one system, even if the parcels are separate. Mr. Jacobson asks about incremental development. Mr. Chartier responds that under current rules, if a single well serves fifteen connections or twenty-five people, it is considered a Public Water System. Mr. Hatch offers an example involving a youth home with 25 children plus adults using a single well. Mr. Chartier replies that such a setup could qualify as a *non-transient, non-community Public Water System* and notes there are different classifications. Mr. Harmer then inquires about requirements for a Public Water System. Mr. Chartier explains that it must be designed by a Certified Professional Engineer, approved by the state, and include an approved water source, storage, and distribution system meeting minimum pressure standards. Once approved, monthly bacterial testing is required, along with annual nitrate testing and periodic testing for other

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contaminants. Mr. Jacobson asks whether the Subdivision Ordinance should include a clause requiring a 100-foot barrier around wells. Mr. Larsen replies that drinking water setbacks are not regulated directly, except in relation to septic systems. However, he suggests they could update the ordinance to require the protection zone to lie entirely within the boundaries of each lot. Mr. Harmer comments that Shared Well Agreements seem beneficial, as they reduce the number of wells drilled. He asks how "contiguous" is defined in this context. Mr. Chartier explains that if someone develops a 4-lot subdivision and then adds a 6-lot subdivision next to it under the same ownership, the state will likely treat it as a single system and regulate it as a Public Water System. Mr. Chartier adds that while developers may propose using individual wells to avoid regulation, he does not encourage this approach. He notes that the attorney he consulted recommended starting with the General Plan if the county wishes to discourage 25-lot subdivisions using individual wells, and then reflect that policy in its ordinances. Mr. Jacobson mentions a conversation with an attorney, who said large developers up north are pushing the legislature to review Wasatch County's strict water regulations, and that Sanpete County may be next in line for an audit due to its water rights requirements. Mr. Chartier states that the Division of Drinking Water uses a general guideline of one acre-foot of water per home, covering both indoor and outdoor use. He adds that an applicant cannot divide a 25-lot project into phases—e.g., phase 1 with 7 lots, followed by future phases—just to avoid triggering Public Water System regulations. The state will anticipate full buildout and apply the appropriate requirements. Ms. Jarrett brings up concerns from a previous meeting regarding septic tanks not being properly flushed. Mr. Larsen responds that homeowners are advised to pump septic tanks every 3–5 years, depending on the size of the home. Ralph Brotherson comments that due to high clay content in the area, they consulted with the first person drilling a well and asked whether they'd consider choosing a location that would better support clean water access for others. For the second well, they asked if sharing was possible, given the presence of nearby septic tanks. Mr. Brotherson adds that finding water in the area can sometimes be difficult.

### **VIII. Discussion with Tom Seely, Sanpete County Road Supervisor in regards to Roads and Flowable Fill.**

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Tom Seely is not present. Jesse Ralphs from Sunrise Engineering is present. Commissioner Bennett states that Tom Seely had communicated with him and is currently attending another meeting in Gunnison. Mr. Seely relayed to Commissioner Bennett that he wants to keep the standard as it is currently written. Mr. Ralphs asks if a discussion can still take place. Mr. Harmer agrees that it would be acceptable. Mr. Ralphs explains that Sunrise Engineering is working on a sewer project in Spring City. Currently, the sewer system serves only two-thirds of the town; the project aims to extend service to the remaining third. He further explains that the only road access to the east side of town is via a County road. They have been working with the County Commissioners on a Road Agreement, which is mostly finalized, but there is an exhibit that indicates existing pavement. Mr. Ralphs states that Mr. Seely has granted permission to cut through the pavement. However, according to current County standards, the backfill requirement does not specify whether the road cut must be transverse (across the road) or longitudinal (along the road), and currently requires the use of Flowable Fill. Mr. Ralphs explains that Flowable Fill is typically used in areas where proper compaction with structural backfill cannot be achieved. From a practical standpoint, he states that using that much concrete is not beneficial and that the cost of Flowable Fill for this section would exceed the cost of rebuilding the entire road. Mr. Jacobson asks if an engineer can certify the compaction. Mr. Atkinson comments that the current standard does not allow pipelines or utilities within the County right-of-way. Mr. Larsen clarifies that this applies specifically to gravel roads. Mr. Atkinson, drawing from thirty years of field experience, states that using Flowable Fill is not feasible from a constructability standpoint, which is why UDOT does not use it. Commissioner Bennett states that the Ordinance should differentiate between a cross-cut and a cut running parallel to traffic. Mr. Atkinson agrees and suggests that the Ordinance be updated to clearly state that utilities are not allowed within the right-of-way. Mr. Jacobson proposes holding a public hearing to revise and clarify the Roadway Development Improvement Standard. Ms. Jarrett notes that Tom Seely needs to be present to provide input. Mr. Harmer adds that he is not in favor of using Flowable Fill. A discussion follows about clarifying the standard. Mr. Hatch points out that, in the past, some municipalities have dug into County roads without compacting them properly. Mr. Harmer states that every road cut should have a compaction test certified by an engineer. Mr.

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Atkinson agrees, stating that the current standard is somewhat ambiguous. Commissioner Bennett expresses disagreement with the use of excessive Flowable Fill. He asks Mr. Ralphs whether he has informed Mr. Seely that a certified compaction test will be conducted. Mr. Ralphs confirms that he has, but Mr. Seely continues to defer to whatever is stated in the County Standard. Commissioner Bennett recommends that Mr. Ralphs request to be placed on the County Commissioners' agenda for further discussion.

### **IX. Discussion with Leon Day in regards to Subdivision Ordinance 13.08.060; Exemptions from Plat Requirements – Small Subdivisions.**

Leon Day presents a packet to each Board Member and Commissioner Bennett. Mr. Day states that the Small Subdivision Ordinance is based on Utah State Code §17-27a-605: *Exemptions from Plat Requirement*. Mr. Day reads from the code, subsection 1(a): "A county establishes a process to approve an administrative land use decision for the subdivision of unincorporated land or mountainous planning district land into 10 or fewer parcels without a plat." He emphasizes the phrase "**without a plat**." He continues reading: "The county will provide, in writing, a certificate or written approval as required by ordinance; and the proposed subdivision is not traversed by the mapped lines of a proposed street as shown in the General Plan unless the county has approved the location and dedication of any public street, county utility easement, any other easement, or any land for public purposes, as the county's ordinance requires; and it has been approved by the culinary water authority and the sanitary sewer authority." Mr. Day states that nothing in state code requires power to be included. Mr. Jacobson asks if state code mandates power in a major subdivision. Mr. Day replies that it does not. Mr. Day asserts that, based on this code, there is no plat requirement for a small subdivision. Mr. Hatch responds that the county must establish a process to ensure people understand whether these recorded subdivision lots are buildable. He asks, "If you don't require people to record a plat, how will they know the lot is buildable?" Mr. Day continues reading from §17-27a-605(6)(a): "The boundaries of any subdivision exempted from the plat requirement under this section shall be graphically illustrated on a record of survey." Mr. Day then reads from the Sanpete County Subdivision Ordinance 13.08.060 – Exemptions from Plat Requirements – Small Subdivision: 1. Criteria: For the purposes of this

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section, a small subdivision shall be defined as a subdivision of four (4) or fewer lots by legal description from a parcel which meets the following criteria: (a) There is no dispute—whether actual or implied by conflicting records of title or surveys—as to the ownership of the land within the proposed subdivision; (b) The proposed lots are not part of an existing, platted, recorded subdivision; (c) The proposed subdivision is not located within 1,000 feet of another small subdivision; (d) The proposed subdivision does not result in remnant land (land which cannot be developed due to size, setbacks, etc.) that did not previously exist; (g) The subdivision does not require the dedication of any land for streets or other public purposes. Mr. Day states that, based on this section, all subdivisions should qualify as small, since the county does not accept dedication of roads. He continues reading: “The county has approved the location and dedication of any public street, county utility easement, any other easement, or any other land for public purposes; (h) All proposed lots have acceptable access to a public street, either by direct frontage or through access by an approved private street that meets this title and the county’s standards and adopted specifications, as outlined in the Sanpete County Road Design Manual; (i) The subdivision does not require the addition of infrastructure beyond what is generally available in the surrounding area; and (j) Each lot has, or will be provided with, improvements as required in this title.” Mr. Hatch comments on subsection (g), stating it refers to the subdivision not requiring dedication of any land for streets or other public purposes. He notes that most subdivisions do have a road dedicated to the public—not private. Mr. Day responds that the county does not accept dedication of roads. Mr. Hatch clarifies that while the county doesn’t take ownership, it does accept public dedications. Mr. Harmer expresses confusion, asking if a subdivision already has a county road, how many subdivisions have been done along such roads. Mr. Jacobson reads from section 3, Process (i): “The Land Use Authority may require additional information, data, or studies to be provided by the applicant for the small subdivision before any determination is made as to the acceptability of the proposed subdivision.” Mr. Jacobson asks, “If we are the Land Use Authority, how are we going to know what exists if there is no plat?” He then asks for clarification on the difference between a survey and a plat. Mr. Day replies that a survey is something a surveyor prepares. Mr. Day continues reading from section 5, Recordation: A recordable deed containing the legal description of the minor subdivision lot, along with a

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record of survey which created the parcel description; and A notice: a. Indicating that the owner of the land to be divided is making a minor subdivision, which refers specifically to the authority to do so as granted by §17-27a-605 of the Utah State Code. Mr. Harmer suggests eliminating both the major and small subdivision ordinances and creating one unified ordinance. Mr. Day asks the Board to either follow the existing ordinance or adopt Mr. Harmer's suggestion. Mr. Harmer responds that he is shocked to discover, under section 13.08.060, that buildable lots could exist without going through a subdivision process. Mr. Jacobson agrees with Mr. Harmer's concerns about the ordinance. Mr. Day expresses frustration about inconsistencies in how the ordinance is being followed. Ms. Jarrett asks whether infrastructure will be required for all subdivisions or if distinctions will remain. Mr. Harmer replies, "No." A discussion follows regarding the idea of creating a single subdivision ordinance. Mr. Day then reads from the Utah Council of Land Surveyors Final Subdivision Plat Guidance Document/Model Standard 2, under *The Purpose of a Subdivision Plat*: "A final subdivision plat is used to create legal divisions of land in compliance with state law and local ordinances. Lots are created simultaneously, resulting in no junior or senior rights between lots contained within the boundaries of the plat. The final plat can formally dedicate to the public new roads and easements and convey any other interests as may be required." He also reads from §17-27a-607 – Dedication by Plat of Public Streets and Other Public Places: (1) A plat that is signed, dedicated, and acknowledged by each owner of record, and approved according to the procedures specified in this part, operates—when recorded—as a dedication of all public streets and other public places and vests the fee of those parcels of land in the county for public use as indicated in the plat. (2) The dedication established by this section does not impose liability upon the county for public streets and other public places that are dedicated in this manner but remain unimproved, unless: (a) Adequate financial assurance has been provided in accordance with this chapter; and (b) The county has accepted the dedication. Discussion follows regarding road dedication.

### **\*Not on the Agenda\***

Ms. Jarrett asks about the General Plan information from Mr. Olsen from the Sanpete County

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Water Conservancy Board. Mr. Hatch states three years were spent on the current General Plan.

## **X. Approval of minutes from May's meeting**

Motion is made by Claudia Jarrett to approve the Planning Commission minutes from May 14, 2025, with no corrections.

The motion is seconded by Gene Jacobson. All in favor, none opposed, and the motion passes

## **XI. Adjournment**

With no further business before the Planning Commission, a motion to adjourn is made by Claudia Jarrett. The motion is seconded by Reed Hatch. All in favor, none opposed, and the motion passes. The meeting is adjourned at 9:17p.m.