



WASATCH COUNTY PLANNING COMMISSION MINUTES

JULY 10, 2025

MEETING TIME: 6:00 P.M.
MEETING PLACE: Wasatch County Administration Bldg, 25 North Main, Heber City, Utah
COMMISSIONERS PRESENT: Chair Chuck Zuercher, Kimberly Cook, Mark Hendricks, Doug Hronek, Scott Brubaker, Daniel Lyman, David Thacker
EXCUSED: None
STAFF PRESENT: Doug Smith, Wasatch County Planner; Austin Corry, Assistant Wasatch County Planner; Jon Woodard, Assistant Wasatch County Attorney
PRAYER: Commissioner Mark Hendricks
PLEDGE OF ALLEGIANCE: Led by Commissioner Kimberly Cook and repeated by everyone

BUSINESS ITEMS

❖ APPROVAL OF THE MINUTES FROM THE MAY 8, 2025 MEETING

MOTION

Commissioner Hendricks made a motion to approve the minutes of the May 8, 2025 meeting as written. Commissioner Cook seconded the motion.

VOTE **(7 TO 0)**

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Scott Brubaker	<u>AYE</u>	NAY	ABSTAIN
Mark Hendricks	<u>AYE</u>	NAY	ABSTAIN	Doug Hronek	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN
Daniel Lyman	<u>AYE</u>	NAY	ABSTAIN				

REGULAR AGENDA ITEMS

ITEM #1 Ordinance 25-10, allowing certain land uses on nonconforming lots and an amendment to 16.27.35 gravel pit and mining regulations.

STAFF PRESENTATION – The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

APPLICANT AND PUBLIC COMMENT – Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Todd Cusick noted that the County pays a 16–20% premium for the cost of aggregate and concrete because of the limit of one source in the area. There are also traffic impacts.
- Mr. Cusick is concerned about the language about being required to be 2,000 feet from the nearest non-commercial/industrial permanent habitable structure. They have other pits closer than that to neighbors and they work just fine.

PLANNING COMMISSION DISCUSSION – Key points discussed by the Planning Commission included the following:

- The Commission discussed the viability of the specifics of the new proposed mining regulations. Commissioner Brubaker suggested treating it more like setbacks. Jon Woodard noted the Commission should be aware of State codes ability to expand mines regardless of local regulations. Mr. Cusick spoke to the difference between vested mine rights and critical infrastructure rights.
- The Commission suggested staff research criteria that can be used that have a specific reason why the numbers are being chosen.

MOTION

Commissioner Brubaker made a motion to continue the item to the August meeting to research further the setbacks, state law vested rights, and mining industry.

Commissioner Thacker seconded the motion.

VOTE (7 TO 0)

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Scott Brubaker	<u>AYE</u>	NAY	ABSTAIN
Mark Hendricks	<u>AYE</u>	NAY	ABSTAIN	Doug Hronek	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN
Daniel Lyman	<u>AYE</u>	NAY	ABSTAIN				

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

- The Commission needs more information to identify the right regulations.

ITEM #2 Ordinance 25-11, Approving a gate on West Strawberry Road .66 miles south of the intersection of Highway 40 and West Strawberry Road.

STAFF PRESENTATION – The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

- Doug Smith shared a Power Point with the staff report.
- Jon Woodard gave a background of a court ruling stating that a traffic control device would need to go through a CLUDMA process. Because of that past ruling, this is why this item is in front of Planning Commission as opposed to the highway authority (which is the County Council).

- Mr. Woodard stated the intent is not to shut down a public road or stop recreation in the area. This is about enforcing permit requirements.

APPLICANT AND PUBLIC COMMENT – Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Alan Ward, Utah DWR strawberry manager, gave a history about the DNR practices to try and accommodate access and recreation activities around Strawberry. In his opinion, it appears the Forest Service transferred the road to the County as a measure of cutting the Forest Service's costs.
- Mr. Ward stated about 250 to 300k fishing hours (62,000 fishing trips) occur per year on Strawberry, which is significantly higher than any other body of water in the State of Utah. Closing the road would shut off 62% of the parking available in the area.
- Kent Strong is opposed to the closing of the road and the spending of the funds to put in a gate. Mr. strong raised concerned with emergency vehicle access.
- Paul Phillips, Strawberry Bay Marina, noted what is available at the marina. His concern is that the County permit requires a permit holder to be there at all times. He stated that in December 2024 they went to the County Council and were approved to plow the road. Mr. Phillips stated he did not get a permit because he does not agree with the language in the permit form. The permit does not have a standard.
- Mike Wimmer is supportive of fishing at the reservoir and family activities. He is concerned about safety.
- Jeff Salt, Utah Anglers Coalition, spoke to amend the written comment sent in by the organization to oppose the gate. He is concerned about no clarity on what would trigger closure of the gate.
- Kevin Pritchett, financial partner of the Marina, is concerned about the financial obligation the Marina takes on by plowing it under the permit language.
- Clyde Bellows is concerned about an August 1 deadline.

PLANNING COMMISSION DISCUSSION – Key points discussed by the Planning Commission included the following:

- Commissioner Hendricks asked if there could be clarity to three questions: 1) If there were a permit issued, would there really be a need for a gate? 2) Cost of the gate a reasonable expense? and 3) what's the enforcement if the lock is cut or gate traversed?
- Commissioner Thacker asked if the bond offered to be paid by restaurant taxes has been rescinded or if it is still on the table. Mr. Smith replied he believes it is still available.
- Commissioner Thacker asked if anyone knew how long the road has been open and plowed historically. Mr. Ward replied that the road has been plowed in some form or another since around 1985 when the reservoir was opened up for ice fishing. Mr. Phillips responded the Marina's first permit from the Forest Service was in 1988.
- The Commission, with Alan Ward, discussed currently existing cross-jurisdiction contracts that exist.
- Commissioner Hendricks noted it will be difficult to make a recommendation without knowledge about the spectrum of solutions that could be used to solve the issue.
- Commissioner Hronek asked if there were damages that occurred in the past with the Forest Service that would have to repair the road. Mr. Wall replied he is not aware of anything significantly, but the road was also never originally designed for year round use so there is deterioration just from that.
- Commissioner Brubaker asked if anything had been done in the year the County Council said to figure out a solution. Mr. Phillips said he is not aware of any progress being made because he is only one of the parties.
- The Commission discussed trying to figure out what the background and history is to why the gate has become the process and if it should be continued to search other solutions.

MOTION

Commissioner Hendricks made a motion to forward to the County Council with no recommendation for or against, but that they continue the item for the parties to convene and resolve the issue.

Commissioner Brubaker seconded the motion.

Commissioner Hendricks withdrew the motion before a vote and stated a new motion.

Commissioner Hendricks made a motion to continue the item unless and until the County Council wants it reviewed again in order to allow the parties a chance to work out a resolution.

Commissioner Cook seconded the motion.

VOTE (7 TO 0)

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Scott Brubaker	<u>AYE</u>	NAY	ABSTAIN
Mark Hendricks	<u>AYE</u>	NAY	ABSTAIN	Doug Hronek	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN
Daniel Lyman	<u>AYE</u>	NAY	ABSTAIN				

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

- There appears to be other options that multiple parties need to discuss that can avoid the need for a gate.

ITEM #3 Discussion and guidance on the vision statements, introduction, background, and values identified thus far in the General Plan public engagement processes.

Austin Corry introduced this discussion item regarding the Introduction and Background portions of the General Plan update, indicating that this is primarily to start talking about the initial stages of the draft that is starting to be put together.

Austin Corry updated the Planning Commission on where we are in the General Plan update process:

The last time the Planning Commission met was a joint meeting with the County Council at which there was discussion regarding visioning statements for each element of the General Plan. That was a few months ago. Since then, the online public survey has been closed and we have analyzed the results. We have also assembled a 12 member advisory committee, consisting of residents from different areas of the County, with different backgrounds and expertise. We are currently meeting with that committee to discuss how to refine and take these visions and get them to where we are starting to formulate what the plan might really be.

There will be additional public engagement opportunities where the plan will go out for review. On the Wasatch County website, if you go to the Planning Department section, there is a link to the General Plan. At the top of that page is another link that takes you to a page devoted solely to this update process. The whole intent of that is to get people engaged and aware of what is going on, and so they want to participate.

Austin then explained how Richard Breitenbeker, with the Wasatch County Manager's office, was brought in to be a member of the team for this update. He indicated that Richard has recently done a lot of research involving the history of Wasatch County and so he has a lot of great information. He indicated that the existing General Plan, put together in 2001, has a background section that has a lot of very technical information. However, Richard's approach has been to tell the story of what Wasatch County is and the values that are inherent in the community, so that when we say things like "we want to protect our rural character", or "we want to protect our heritage", we

can know what that actually means, and Richard has done an excellent job writing this initial draft. That does not mean that we will take out the technical aspects that are critically important knowledge to have to formulate the plan. Those will be interspersed through the elements as they go.

Richard then presented the rough draft of the Background section of the General Plan to the Planning Commission.

Austin Corry then mentioned that there were two questions, in the memo sent to the Planning Commission with this written draft, to think about:

1. What one-word descriptors would you use to describe what these Wasatch valleys (Heber Valley, Round Valley, Strawberry Valley, Jordanelle Basin) have been in the past?
2. What one-word descriptors would you hope would be used to describe them in the future?

The Planning Commission then had a discussion focused on what is needed as far as these questions, with suggestions such as we could send our thoughts in via email and possibly asking the public, maybe posting the questions on social media to see what kind of response we get; Also, it was discussed that the views of the general population of Wasatch County seem to be, that when talking about Wasatch County, they tend to be talking about the municipalities. There was also discussion on the population of unincorporated Wasatch County versus that of the municipalities within it, noting that unincorporated Wasatch County makes up almost half of the entire County population. It was also indicated that this draft is a great document for our purposes.

Austin Corry then indicated that this is a discussion item only. So now we will take your feedback and involve the advisory committee as we work through some of this. They will also give feedback, but largely we will use it to try to inform the rest of things.

ADJOURNMENT

MOTION

Commissioner Lyman made a motion to adjourn.

Commissioner Cook seconded the motion.

VOTE (_ TO _)

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Scott Brubaker	<u>AYE</u>	NAY	ABSTAIN
Mark Hendricks	<u>AYE</u>	NAY	ABSTAIN	Doug Hronek	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN
Daniel Lyman	<u>AYE</u>	NAY	ABSTAIN				

Meeting adjourned at 9:20 p.m.

CHARLES ZUERCHER/CHAIRMAN



WASATCH
— C O U N T Y —

Ordinance 25-10, allowing certain land uses on nonconforming lots and an amendment to 16.27.35 gravel pit and mining regulations.

Project: DEV-0000 | Ordinance allowing additional land uses on nonconforming lots and updates to the mining section of the code.

Meeting Date: 14 August 2025

Report Date: 6 August 2025

Report Author: Doug Smith

Council Action Required: Yes

Type of Action: Legislative

Applicant: County

Affected Code Section(s): 16.22.09 and 16.27.35

DETERMINATION ISSUE

Whether or not to recommend approval of Ordinance 25-10 which allows mining uses on nonconforming lots and updates the section of the code regarding gravel pit and mining operations.

RECOMMENDATION

Based on the analysis and findings in this staff report, the Planning Staff is of the opinion that the proposed ordinance should be recommended by the planning commission to be approved by the County Council based on the findings included in the staff report.

Planning Commission Staff Report

BACKGROUND

This item was continued from the July planning commission meeting with the following motion:

MOTION

Commissioner Brubaker made a motion to continue the item to the August meeting to research further the setbacks, state law vested rights, and mining industry.

Commissioner Thacker seconded the motion.

Also see the report of action attached as exhibit B of this report for a synopsis of the planning commission discussion.

Since the July meeting staff has talked to Summit County and Park City as well as researched other communities. Park City only has ordinances for reclamation of old mines. Summit County regulates proposed mines with a conditional use permit and with some setback regulations from water bodies.

As requested by the planning commission there has also been research regarding vested rights of mining operations which, as per the state code, are considered “critical infrastructure material”. Typically, a use becomes non-conforming when ordinances are adopted that regulate or outlaw specific uses. With mining or “critical Infrastructure materials” if considered vested they can continue in perpetuity and expand in size and scope. More regarding vested rights is contained in the body of this report.

Staff is hopeful that the proposed code has appropriate language and what gets debated in the planning commission meeting are the setback distance numbers which, staff believes, are fairly balanced and appropriate. Out of all the communities that we surveyed Wasatch has the largest acreage requirement at 120-acres. The proposed acreage should allow a mining operation to meet the setback requirements as proposed.

The County has two types of legal lots that allow building rights. One type is a platted lot within a subdivision which allows all the uses for that zoning district listed in the land use section of the code. The other is a nonconforming lot of record of grandfathered lot. A nonconforming lot either existed prior to zoning or was created in compliance with previous codes but does not meet the current requirements of the code. These “nonconforming lots” have a building right but not the full menu of allowed and conditional land uses because a nonconforming lot, in most cases, does not meet the minimum acreage or frontage requirements for the zone. As an example, a nonconforming lot in the P-160 zone (which requires 160 acres) could be any acreage including less than 1-acre therefore, under current code, only single-family homes, residential uses accessory to a home (garages, sheds), farming, ranching, grazing and utility uses would be allowed on the non-conforming lot.

In 2019 the County adopted an amendment to 16.22.09 that further clarified and limited the uses allowed on nonconforming lots.

B. Uses Granted for Nonconforming Lots of Record: Lots that are determined to be nonconforming lots of record may be granted a building right for a single-family dwelling, accessory dwelling units only if allowed in section 16.21.46, and accessory uses as outlined in the underlying zone. So long as all other standards applicable to that use are complied with and so long as the use is permitted in the zone, nonconforming lots of record may also be permitted utility uses under use code 4800 (utilities) and agricultural uses under use code 8000 and 8500. The uses outlined in this paragraph and no others are granted for nonconforming lots of record. (2019)

Prior to 2019 uses like gravel quarries and mining operations were allowed as long as the underlying zone allowed them as a conditional use regardless of whether the proposal was on a nonconforming lot or not. With the above code now in place we either need to require that they go through the subdivision process, which could require construction of a full county road, and any other requirements of a subdivision plat or amend the code to allow what is being proposed. Requiring a subdivision approval may be an onerous process for a use like a mining operation. A subdivision process could include; requiring water, fire flow, road dedication, road construction, sidewalks/trails, correcting previously created illegal lots etc.

WHAT THIS ORDINANCE DOES:

- Allows mining operations as identified in the P-160 section of the code to be approved on non-conforming lots of record.
- Mining operations would be processed as a conditional use with the stipulations listed in addition to the requirements of a conditional use permit.
- Updates to section 16.27.35 regarding gravel pit and mining operations.
- Defines what is included within a Limits of Disturbance (LOD) area.
- Allows for mining operations to be on leased land and not just owned land.

STAFF ANALYSIS

– GENERAL PLAN –

The first consideration in determining whether a code text amendment should be approved or denied is the language contained in the General Plan. The General Plan provides the guidance that is made more specific as part of the zoning ordinance or zoning map.

There are no specific citations regarding gravel pits or mining and non-conforming lots in the General Plan. However, it is clear that water quality, as a general rule, is an important topic in the General Plan as well as maintaining a pleasing entry into the valley from major roads. These issues are addressed as part of the two code sections being amended as well as part of the conditional use process.

Chapter three of the General Plan has specific goals, policies and objectives intended to guide and direct decisions for the future growth in the County. The goals, policies and objectives become more specific in the zoning ordinance. Below are listed any Goals, Policies and Objectives of the General Plan that may be applicable to the proposed code amendment:

GOAL: The US 189 and 40 corridors into Heber Valley shall provide a pleasing entry to Heber City.

16.1.6 POLICY: Storm water runoff from each new development shall be controlled and limited to the discharge rate that occurred during the pre-developed condition. Wasatch County and the Cities and Towns of Heber Valley should develop a joint storm drainage system to replace the irrigation ditch system that has been eliminated due to the installation of pressured irrigation systems.

16.1.7 POLICY: Erosion control plans shall be required for all development. Development with disturbed areas larger than five acres shall obtain a permit from the Utah State Division of Water Quality.

Storm water runoff is a major factor in the high concentrations of the nutrient phosphorus. The streams in Heber Valley are exceeding the indicator standards that have been set to maintain healthy water quality in Deer Creek Reservoir. The

majority of the phosphorus level occurs during storm runoff from the valley floor. Drainage patterns in the Heber Valley are complex because of the irrigation canals that cross natural drainage channels. (Ch. 4 General Plan, Pg. 103)

Below are regulations from other communities:

	Distance from residential boundary	Parcel size	Distance from public right-of-way	Distance from irrigation ditches	Setbacks from wetlands and streams	Setbacks from roads	Setback from lakes, ponds, reservoirs
SL County	200' for any part of the operation including buildings	Overlay zone no size specified.	50'	None	None	50'	None
Grand County	30' from property lines 125' setback from dwellings	Could not find	30'	30'	100'	100'	No
Summit County	Determined through the conditional use process	40- and 80-acre zones	None	None	40' (wetland) 100' (Stream)	none	100'
Washington County	400' from residential or commercial. For over 300 acres 500' setback	20 acres	None	No	No	No	No
Salt Lake City	1,000' from a property zoned in a residential or institutional district. Landscape buffers are required as well.	10 acres	50'	50'	50'	50'	50'
Duchesne County	1,320' from city, town or residential use. Measured from center of crusher use. 660' from the edge of the disturbed area to the closest city or town boundary line. In addition, 50' from a property line	Not able to find in code	None	None	None	None	None
Wasatch County (proposed)	500' setback from the outside boundary of the limits of disturbance to any existing dwelling, 150' setback to PL if no existing dwelling.	120 acres (minimum)	150'	150'	150'	150'	150'

VESTING

At the July meeting the planning commission was concerned about the vested rights for mining operations. Vesting for mining operations is covered in a number of Utah code sections. A mining operation is considered critical infrastructure. The state code sections are lengthy. Verbatim text would take many pages in this staff report. In short vesting of mining uses includes the following:

- A critical infrastructure materials use is presumed to be a vested critical infrastructure materials use if the critical infrastructure materials use meets the definition of vested critical infrastructure materials use as defined in section 17.27a.1002(a).
- Definitions of “Critical Infrastructure materials” means sand, gravel, or rock aggregate 17.27a.1001(3).
- “Critical Infrastructure materials use” means the extraction, excavation, processing, or reprocessing of or critical infrastructure materials 17.27a.1001(4).

- A mining use is conclusively presumed to be a vested mining use if the mining use existed or was conducted or otherwise engaged in before a political subdivision prohibits, restricts, or otherwise limits the mining use 17.41.5019(1a).
- Notwithstanding a political subdivision's prohibition, restriction, or other limitation on a critical infrastructure materials use adopted after the establishment of the critical infrastructure materials use, the rights of a critical infrastructure materials operator with a vested critical infrastructure materials use include with respect to that existing legal use the right to (17.27a.1003):
 - Progress, extend, enlarge, grow, or expand the vested critical infrastructure materials use to any contiguous land that the critical infrastructure materials use to any contiguous land that the critical infrastructure materials operator owns or controls before May 7, 2025;
 - expand the vested critical infrastructure materials use to new land that is contiguous land to the surface or subsurface land on which the critical infrastructure materials operator has a vested critical infrastructure materials use, including the surface or subsurface land under Subsection (1)(a);
 - (c) use, operate, construct, reconstruct, restore, extend, expand, maintain, repair, alter, substitute, modernize, upgrade, and replace equipment, processes, facilities, and buildings, on any surface or subsurface land that the critical infrastructure materials operator owns or controls before May 7, 2025;
 - (d) on any surface or subsurface land that the critical infrastructure materials operator owns or controls before May 7, 2025:
 - (i) increase production or volume;
 - (ii) alter the method of extracting or processing, including with respect to the vested use, the right to stockpile or hold in reserve critical infrastructure materials, to recycle, and to batch and mix concrete and asphalt; and
 - (iii) extract or process a different or additional critical infrastructure material than previously extracted or processed on the surface or subsurface land; an
 - A critical infrastructure materials operator with a vested critical infrastructure materials use is presumed to have a right to expand the vested critical infrastructure materials use to new land.
- expand the vested mining use to any new land that 17.41.502(1, b):
 - (i) is contiguous and related in mineralization to surface or subsurface land or a mineral estate that the mine operator already owns or controls;
 - (ii) contains minerals that are part of the same mineral trend as the minerals that the mine operator already owns or controls; or
 - (iii) is a geologic offshoot to surface or subsurface land or a mineral estate that the mine operator already owns or controls;

Synopsis on vested rights of mining operations - The state code is clear that a mining operation is vested regardless of adoption of any subsequent codes regulating, restricting or eliminating mining. Non-conforming stipulations that typically apply to non-conforming uses do not apply to a vested mining use. A vested mine can expand to adjacent properties, can increase volume on the existing site, can build new buildings even if considered non-conforming. Typically, non-conforming uses, other than mining, cannot expand in size or scope beyond what they were originally approved for.

RECOMMENDED MOTION

Move to Recommend approval the proposal with Conditions consistent with the findings, recommendations and modifications (if any) presented in the staff report.

– FINDINGS –

- County code requires that uses outside of those specifically listed as residential, agricultural and utility are not allowed on lots of record.
- Mining uses are only allowed in the P-160 zone which would require 160 acres or greater.
- Mining uses are not currently allowed on a nonconforming lot.
- Current code would require a mining proposal to plat a lot through the subdivision process which would require infrastructure improvements typically required for residential developments.
- The County realizes for mining uses; there is value to the public to allow certain types of mining in the valley to decrease the need for importing these items from outside the County.
- The code regarding gravel pit and mining operations was updated in 2020.
- Mining operations can be visually obtrusive and create water and air quality issues if not managed properly.
- Gravel pit and mining operations can have an impact on neighboring residents if not managed properly.
- The proposed and existing codes address water quality as well as visual impacts of gravel pit and mining operations.
- The planning commission has held a public hearing on this ordinance and forwarded it to the County Legislative Body for the approval.
- The County has properly noticed public hearings before the County Legislative Body and has fulfilled all requirements of Wasatch County Code 3.03.01 for the enactment of an ordinance, including conducting a first and second reading, and making this ordinance available to the public on the County Website.

POSSIBLE ACTIONS

The following is a list of possible motions the Planning Commission can take. If the action taken is inconsistent with the recommended findings listed in the staff report, the Planning Commission should state new findings.

1. Recommendation for Approval. This action may be taken if the Planning Commission finds that the proposed ordinance is consistent and compatible with the existing code.
2. Recommendation for Approval with Conditions. This action can be taken if the Planning Commission feels comfortable that and issues can be resolved through conditions or modifications to the proposed text.
3. Continue. This action can be taken if the Planning Commission needs additional information before making a recommendation, if there are issues that have not been resolved, or if the application is not complete.
4. Denial. This action may be taken if the Planning Commission finds that the proposed code amendment is not appropriate at this time and/or is not supported by the General Plan.

EXHIBITS

Exhibit A – Proposed Ordinance	7
Exhibit B - Report of Action.....	13

Exhibit A – Proposed Ordinance

ORDINANCE NO. 25-10

Ordinance 25-10 which amends section 16.22.09 to allow for certain uses to be allowed on lots of record with specific stipulations and amendments to 16.27.35 regarding gravel pit and mining operation requirements.

RECITALS

WHEREAS, County code requires that uses outside of those specifically listed as residential and agricultural not be allowed on lots of record; and

WHEREAS, Due to this regulation the only option for a most uses is to plat a lot through the subdivision process which would require infrastructure improvements typically required for residential developments; and

WHEREAS, This ordinance also updates certain language in code section 16.27.35; and

WHEREAS, The County realizes for mining uses, there is value to the public to allow certain types of mining in the valley to decrease the need for importing these items from outside the County; and

WHEREAS, Wasatch County gave notice of all public meetings and public hearings related to this ordinance as required; and

WHEREAS, the County Legislative Body, having considered all of the evidence provided to be in the best interest of the health, general welfare, and safety of the inhabitants of Wasatch County;

NOW THEREFORE, the County Legislative Body of Wasatch County ordains that the Wasatch County Code be amended as follows:

SECTION I: Enactment. The following amendments, additions, and deletions to Title 7, are hereby enacted: *See attached Exhibit A.*

SECTION II: Repealer. If any provisions of the County Code heretofore adopted are wholly inconsistent with this ordinance, they are hereby repealed.

SECTION III: Amendment of Conflicting Ordinances. To the extent that any ordinances, resolutions, or policies of Wasatch County partially conflict with this ordinance, they are hereby amended to comply with the provisions hereof.

SECTION IV: Effective Date. This Ordinance shall become effective immediately upon execution by the Chair of the County Council and the completion of public notice requirements imposed by state statute.

SECTION V: Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI: Public Notice. The Wasatch County Clerk, and ex officio Clerk of the Wasatch County Council, is hereby ordered, in accordance with the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, to do as follows:

- a. Enter at length this ordinance in the ordinance book;
 - b. Deposit a copy of this ordinance in the office of the County Clerk;
 - c. Publish a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance, for at least one publication in a newspaper published in and having general circulation in the county; or post a complete copy of this ordinance in nine (9) public places within the County.

APPROVED and PASSED this _____ day of _____, 2025.

Attest:

WASATCH COUNTY COUNCIL:

Joey Granger
Wasatch County Clerk / Auditor

Karl McMillan, Chair
Wasatch County Council

Karl McMillan, Chairman
Spencer Park, Vice-Chair
Luke Searle
Coleen Bonner
Erik Rowland
Kendall Crittenden
Mark Nelson

VOTE

ADOPTION OF ORDINANCE AFFIDAVIT

STATE OF UTAH)
) : ss.
COUNTY OF WASATCH)

I, the undersigned, the duly qualified and acting County Clerk of Wasatch County, Utah, and ex officio Clerk of the Wasatch County Council do hereby further certify, according to the records of said Council in my official possession, and upon my own knowledge and belief, that I have fulfilled the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, by:

- (a) Causing this ordinance to be entered at length in the ordinance book;
 - (b) Causing three (3) copies of this ordinance to be deposited in the office of the County Clerk;
 - (c) Causing a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance to be published for at least one publication in *The Wasatch Wave*, a newspaper of general circulation within the geographical jurisdiction of Wasatch County; or posting a complete copy of this ordinance in nine (9) public places within the County.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the County Council of Wasatch County, Utah, this _____ day of _____, 2025.

Joey Granger
Wasatch County Clerk / Auditor

SUBSCRIBED AND SWORN to me, a Notary Public, this _____ day of _____, 2025.

Notary Public

Residing in:

My commission expires:

1 **16.22.09: NONCONFORMING LOTS OF RECORD LAND USE REGULATIONS**

2 Nonconforming lots of record are only exempt from the minimum size, width,
3 frontage, depth or other applicable dimensional requirements of the zone where the
4 lot is located. Before a building permit may be issued, nonconforming lots of record
5 shall have access on a road built to county standards and shall comply with all other
6 land use, zoning and development standards applicable to the particular zone the
7 nonconforming lot of record is located in. A nonconforming lot of record
8 determination does not guarantee a building permit.

9 A. Lot With Building: If a lot is unable to receive lot of record status and contains a
10 building legally established on or before July 28, 1972, then the owner may continue
11 the then existing use of such building and may expand the building in any way that
12 does not increase the degree of nonconformity. This provision does not establish
13 the parcel as a lot of record.

14 1. An increase in building size shall not be deemed to increase the degree of
15 nonconformity of the lot unless the building increases any encroachment
16 into a required setback of the lot coverage requirements of the underlying
17 zone are exceeded by the increase.

18 2. Remodeling of a building within an existing footprint or expansion in
19 compliance with this section shall not require a variance to lot requirements
20 but shall be reviewed by the planning director as though the lot conforms to
21 the requirements of this title.

22 3. At least 75% of the framing and foundation of the original building must
23 remain intact to continue the then existing use of the building, or to expand
24 the building, unless the structure was involuntarily destroyed in whole or in
25 part by fire or other calamity, and the owner reconstructs or restores the
26 structure in conformity with the requirements of Utah Code 17-27a-510(3)
27 (2018) as amended, and Wasatch County Code.

28 B. Uses Granted for Nonconforming Lots of Record: Lots that are determined to be
29 nonconforming lots of record may be granted a building right for a single family
30 dwelling, accessory dwelling units only if allowed in section 16.21.46, and
31 accessory uses as outlined in the underlying zone. So long as all other standards
32 applicable to that use are complied with and so long as the use is permitted in the
33 zone, nonconforming lots of record may also be permitted utility uses under use
34 code 4800 (utilities) and agricultural uses under use code 8100 (not to include
35 8150). Except as provided in this section, no other uses are allowed on
36 nonconforming lots. In the P-160 zone, mining uses (8510, 8530, 8540) that are

37 conditionally allowed in the P-160 zoning district can be allowed if processed as a
38 conditional use, and subject to the following additional requirements:

39 1. Compliance with section 16.27.35.

40 2. A 500' setback is required from the outside edges of the limits of disturbance
41 (LOD), as defined below, and as approved by the County to any existing residential
42 dwelling. A 150' setback from the outside edges of the LOD to a public road, lot line,
43 flood channel, wetland or water body.

44 3. For purposes of this section the Limits of disturbance (LOD) shall include all
45 mining operations including but not limited to; internal roads, excluding the main
46 access road(s), parking areas, office buildings, crushing, screening, washing,
47 mixing or other types of processing operations, materials extraction areas,
48 storage of material, and equipment. Offices and scale houses may be outside of the
49 LOD but must meet the setbacks and any other requirements for the underlying
50 zone?.

51 4. The nonconforming lot is, at a minimum, 75% of the required acreage for the
52 zone.

53
54 C. Lot Line Adjustments: Lots of Record are not authorized to modify the boundaries
55 of the Lot of Record without prior written authorization of the Planning Director.
56 Any lot line adjustments recorded without written approval of the Planning Director
57 shall be deemed illegal and shall invalidate any prior Lot of Record certificates
58 issued for the property. Any modification to the boundaries shall only be approved
59 if the modification does not increase the degree of nonconformity of the Lot of
60 Record.

61 ...

62
63 **16.27.35: GRAVEL PIT AND MINING REGULATIONS**

64 Gravel Pits and mining operations, as listed in 8500 of Wasatch County Code 16.36.07,
65 shall only be allowed as a when included as a permitted or conditional use in the
66 respective zone. All mining rights shall be reviewed by the county as conditional uses.
Mining rights shall be in the form of valid traditional rights as opposed to contract rights.
The water quality standard of approval is the discharge quality. A statement must
69 accompany applications for the conditional use containing the following information:

70 A. Mining plan which shows:

- 71
72 1. Size of operation;
73 2. Limits of disturbance for the entire property;

- 74 3. The surface area for each phase than can be disturbed at one time;
75 4. Work shifts and time of operation;
76 5. Tons per year limits;
77 6. Materials to be extracted;
78 7. Processing methods;
79 8. Impact statement regarding air quality, water quality and transportation;
80 9. Dust Control Plan;
81 10. Lighting Plan;
82 11. Noise abatement plan not exceeding fifty (50) dBA (decibels) at any
83 adjoining property line; and

84 12. Visual assessments showing the maximum extent of the excavated areas
85 for each phase with the visual assessments as from major roads and
86 highways clearly depicting visual impacts. Any impacts shall be addressed
87 by a plan to keep excavation hidden from the public especially along
88 highways and entry ways into the valley.

89 11.13. Restoration plan and proposed mitigation measures as to above
90 items. Bonding is required to assure that each phase is restored and
91 complies with the restoration plan. List of all federal and state permits
92 required, and the name of the supervising authority of each agency
93 involved; and either showing permits received, or making the land use
94 approval conditional upon such permits being received;

- 95 B. Title report;
96 C. Written legal opinion about the applicant's right to access their mining products on
97 or under the surface;
98 D. Economic viability;
99 E. Parking;
100 F. Administrative offices;
101 G. Adjacent support and subsidence plans;
102 H. Transportation plan and impact analysis which evidences that such materials will
103 not be transported through a residential area and will not adversely impact any
104 residential or commercial area;
105 I. A plan which complies with all Wasatch County water quality standards; and
106 J. Any information or plan that the Wasatch County planning director or planning
107 commission may require.

108



Wasatch County Planning Commission Report of Action

July 10, 2025

Commissioner Charles Zuercher was present as Chair

ITEM #1 – Ordinance 25-10, allowing certain land uses on nonconforming lots and an amendment to 16.27.35 gravel pit and mining regulations.

STAFF PRESENTATION – The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

APPLICANT AND PUBLIC COMMENT – Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Todd Cusick noted that the County pays a 16-20% premium for the cost of aggregate and concrete because of the limit of one source in the area. There are also traffic impacts.
- Mr. Cusick is concerned about the language about being required to be 2,000 feet from the nearest non-commercial/industrial permanent habitable structure. They have other pits closer than that to neighbors and they work just fine.

PLANNING COMMISSION DISCUSSION – Key points discussed by the Planning Commission included the following:

- The Commission discussed the viability of the specifics of the new proposed mining regulations. Commissioner Brubaker suggested treating it more like setbacks. Jon Woodard noted the Commission should be aware of State codes ability to expand mines regardless of local regulations. Mr. Cusick spoke to the difference between vested mine rights and critical infrastructure rights.
- The Commission suggested staff research criteria that can be used that have a specific reason why the numbers are being chosen.

MOTION

Commissioner Brubaker made a motion to continue the item to the August meeting to research further the setbacks, state law vested rights, and mining industry.

Commissioner Thacker seconded the motion.

VOTE (7 TO 0)

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Scott Brubaker	<u>AYE</u>	NAY	ABSTAIN
Mark Hendricks	<u>AYE</u>	NAY	ABSTAIN	Doug Hronek	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN
Daniel Lyman	<u>AYE</u>	NAY	ABSTAIN				

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

New findings stated as basis of action taken by the Planning Commission or recommendation to the County Council; Planning Commission determination is not generally consistent with the Staff analysis and determination.

- The Commission needs more information to identify the right regulations.

Charles R. Zuercher

Wasatch County Planning Commission – Chairman

The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action. Official action of the Planning Commission on this item is subject to the approved minutes.



Item 2 – Knockeart Retaining Wall Conditional Use Permit

Project: DEV-11079 | Knockeart Retaining Wall

Meeting Date: 14 August 2025

Report Date: 7 August 2025

Report Author: Anna Anglin, Planner

Council Action Required: No

Type of Action: Administrative

Applicant: Keith Knockeart

Address: 9459 N Sunset View Dr.

Parcel No: 00-0021-6802

Acreage: 1.05 acres

Zoning Designation: JBOZ

Land Use Number(s): 1111

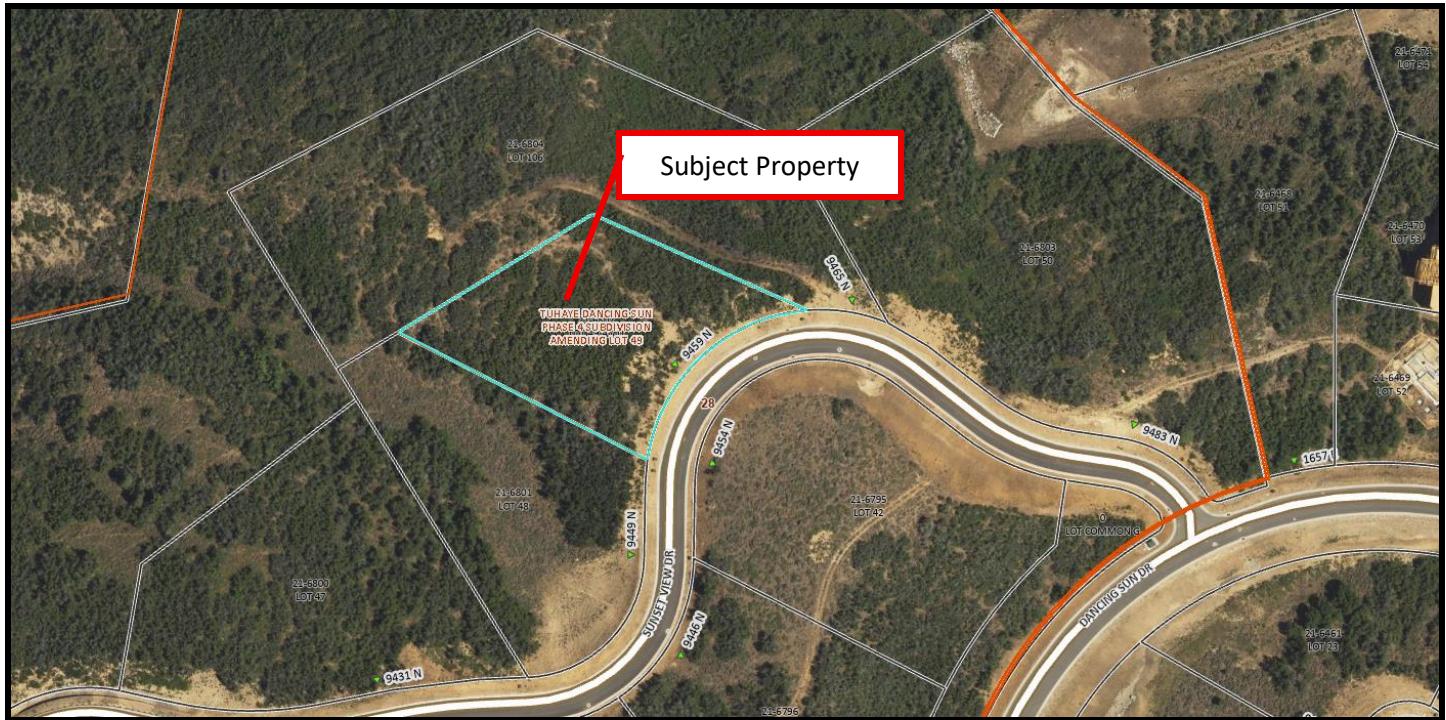
DETERMINATION ISSUE

Whether the application meets the standards required by Wasatch County Code 16.23 for a conditional use permit to be granted to allow a retaining wall with a cumulative height of up to 12 feet at its tallest point using materials permitted under WCC16.27.20. This conditional use permit is an administrative decision made by the Planning Commission. During the ten-day notice timeframe, a property owner within 500 feet of the subject property requested this be brought to a public meeting for a final decision.

RECOMMENDATION

Based on the analysis in this staff report, Planning Staff recommends that the Planning Commission Approve the Conditional Use Permit based on the findings included in the staff report.

Planning Commission Staff Report



BACKGROUND

The subject property lies on a 1.05-acre lot located at 9459 N Sunset View Drive in the Tuhaye Dancing Sun Phase 4 subdivision. The applicant is in the process of constructing a home on the property and requires the retaining wall to stabilize the outdoor patio area off the master suite. The subject retaining wall is proposed to have two tiers with a maximum wall height of six feet each. In addition, the exposed wall will not have a combined total greater than twelve feet at any point. The length of the proposed retaining walls combined for the project will be approximately 248 feet and the applicant is proposing to use boulders for materials. The retaining wall will be located on the southern property line and will be retaining the downhill slope of the lot, which will decrease the visibility of the wall from the street (see *Exhibit B*).

Section 16.01.05(B)(h) of the Wasatch County Code gives staff the authority to approve retaining walls up to 30 feet tall if each wall is no taller than ten feet through the conditional use process. Conditional Use Permits require notice to be sent to all property owners within 500 feet. One objection was received related to this request for a retaining wall. Section 16.01.05(A)(1) of the Wasatch County Code requires any conditional use that receives opposition during the ten-day noticing period is required to go to Planning Commission for approval. Any objections or concerns received regarding this request have been attached in *Exhibit D*.

KEY ISSUES TO CONSIDER

- Neighborhood compatibility and impact.
- Compliance with zoning requirements, including conditional use standards.

STAFF ANALYSIS

– COMPATABILITY OF PROPOSED USE –

Wasatch County Code 16.27.20 provides standards for retaining walls within the County. There are various categories of walls, primarily focused on the overall height and the materials used. Walls over 10 feet in cumulative height or over 800 feet in length are required to obtain a conditional use permit. If the wall exceeds 30 feet in height, or the 800 feet in length, code requires those walls to be approved by the Council. Furthermore, the walls between 10-30 feet or less than 800 feet in length are allowed to be approved by staff so long as they are stacked rock or poured concrete faced with stone.

– CONDITIONAL USE PROCEDURE –

Wasatch County Code 16.23.07(F) outlines the findings that are required in order for the Land Use Authority to approve a conditional use permit. The required findings are as follows (Applicant and Staff analysis responses are provided in **bold**):

16.23.07 GENERAL STANDARDS AND FINDINGS REQUIRED

These standards shall be in addition to any standards set forth in this land use ordinance for the zoning district wherein the proposed conditional use will be established. If there is a conflict between these standards and those set forth for the appropriate zoning district, the more specific standard control. The county shall not issue a conditional use permit unless the issuing department or commission finds:

- A. *The application complies with all requirements of this title;*

Applicant Response: Yes

Staff Response: Review by the DRC indicates compliance with Title 16.

- B. The business shall maintain a business license, if required;*

Applicant Response: N/A.

Staff Response: The retaining wall is for the construction of a single-family home. No business license is required.

- C. The use will be compatible with surrounding structures in use, location, scale, mass, design and circulation;*

Applicant Response: Yes, (Residential) Proposal approved through the HOA.

Staff Response: The project is compatible with surrounding structures in use, location, scale, mass, and design. It does not create any adverse impacts on circulation or other private or public improvements nearby. Tuhaye is in a mountainous terrain area and retaining walls are commonly used throughout the development.

- D. The visual or safety impacts caused by the proposed use can be adequately mitigated with conditions;*

Applicant Response: Yes, 6ft tall tiers and landscaping buffer

Staff Response: The visual or safety impacts caused by the proposed use are adequately mitigated. The applicant is placing the retaining wall in the downward sloped area so it is less visible, and the retaining walls will be screened by landscaping.

- E. *The use is consistent with the Wasatch County general plan;*

Applicant Response: Yes, residential.

Staff Response: Staff is unable to find any direct policies regarding retaining walls.

- F. *The effects of any future expansion in use or scale can be and will be mitigated through conditions;*

Applicant Response: Yes, any revision or expansion would require permitting.

Staff Response: Any expansion of the use will be required to apply for a new conditional use permit.

- G. *All issues of lighting, parking, the location and nature of the proposed use, the character of the surrounding development, the traffic capacities of adjacent and collector streets, the environmental factors such as drainage, erosion, soil stability, wildlife impacts, dust, odor, noise and vibrations have been adequately mitigated through conditions;*

Applicant Response: Yes, these conditions are met through the building and retaining wall permitting process.

Staff Response: Staff does not have the expertise to verify whether soil stability is improved using retaining walls vs. other methods, but the application does include geotechnical studies that verify the stability of the design as proposed.

- H. *The use will not place an unreasonable financial burden on the county or place significant impacts on the county or surrounding properties, without adequate mitigation of those impacts;*

Applicant Response: Yes, the financial burden is shouldered by the homeowner.

Staff Response: All improvements will be privately owned and maintained so that this use will not place any financial burden or significant impacts on the county or surrounding properties.

- I. *The use will not adversely affect the health, safety or welfare of the residents and visitors of Wasatch County; and*

Applicant Response: No response.

Staff Response: The applicant has demonstrated a reasonable approach to mitigating the visual impacts of the wall and disturbance to the site. It does not appear that there are health, safety, or welfare concerns related to the proposal.

- J. *Any land uses requiring a building permit shall conform to the international uniform building code standard.*

Applicant Response: Yes, the retaining walls design, geotechnical study, and slope analysis was performed by a registered engineer conforming to building code standards.

Staff Response: The building permit for the retaining walls (Permit #25-353) along with the residential structure (Permit #24-260) will conform to the international uniform building code standards.

DEVELOPMENT REVIEW COMMITTEE

This proposal has been reviewed by the various members of the Development Review Committee (DRC) for compliance with the respective guidelines, policies, standards, and codes. A report of this review has been attached in the exhibits. The Committee has forwarded the item for the Planning Commission to render a decision.

RECOMMENDED MOTION

Move to Recommend Approval of item 2 consistent with the findings presented in the staff report.

- FINDINGS -

1. The staff analysis indicates the proposal complies with Section 16.27.20 of the current Wasatch County Code relating to retaining walls.
2. The staff analysis indicates the proposal complies with Section 16.23.07 of the current Wasatch County Code related to Conditional Uses.
3. Notice has been sent to neighboring property owners within 500 feet of the property.
4. There are no known zoning violations on the property at this time.

POSSIBLE ACTIONS

The following is a list of possible motions the Planning Commission can take. If the action taken is inconsistent with the recommended findings listed in the staff report, the Planning Commission should state new findings.

1. Recommend Approval. This action may be taken if the Planning Commission finds that the Conditional Use request is compliant as proposed with Wasatch County Code and all other applicable laws. ***This action would be consistent with the staff analysis.***
2. Recommend Approval with Conditions. This action can be taken if the Planning Commission feels that impacts of the Conditional Use request can be mitigated through conditions to be compliant with applicable laws.
3. Continue. This action can be taken if the Planning Commission needs additional information before rendering a decision, if there are issues that have not been resolved, or if the application is not complete.
4. Recommend Denial. This action can only be taken if the Planning Commission finds that the proposal does not meet the ordinance and that impacts of the proposal cannot be reasonably mitigated.

NEXT STEPS

If the requested conditional use permit is approved, the applicant will be required to comply with the conditions of approval and could proceed with any building permits necessary. Failure to adhere to the conditions of approval will subject the conditional use permit to revocation under the provisions of WCC 16.23.06.

If the requested conditional use permit is denied, the applicant would not be allowed to construct the retaining walls as designed and would need to pursue other options available under the code.

Any person adversely affected by a final decision made by the County Council may be appealed to the district court in accordance with appeal procedures.

EXHIBITS

Exhibit A – Applicant Request	6
Exhibit B – Site Plan.....	7
Exhibit C – Proposed Wall and Location.....	8
Exhibit D – Letter of Objection.....	100
Exhibit E - DRC Report.....	12

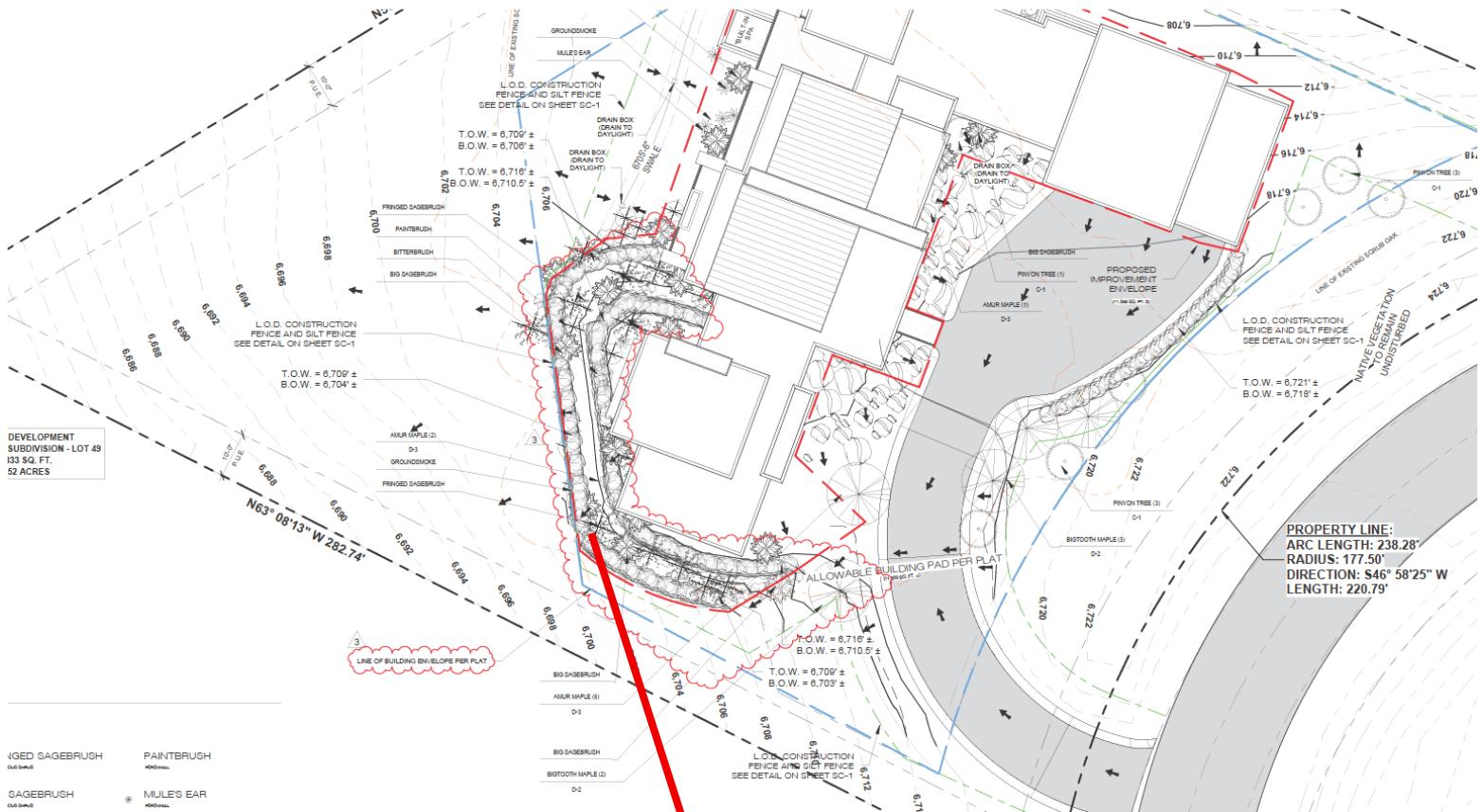
Exhibit A – Applicant Request

01 - PROJECT DESCRIPTION

The homeowner desires to install two tiers of boulder retaining walls, each sloping with the grade to minimize the visual and physical impact on the site, with each tier not to exceed 6ft tall. A 4ft minimum landscape buffer will be placed between the tiers to further minimize the visible surface area of the boulder wall.

1. Type of conditional Use Permit: **Retaining wall**
2. Extent and need for conditional use operations: **The cumulative height at the highest point of the two tiers exceeds 10ft and thus triggers a conditional use permit. Once installed, nothing further is needed.**
3. Proposed efforts to mitigate impacts of the use: **The wall has been stepped, it slopes with the natural grade to the greatest extent possible, and a landscape buffer is proposed to minimize the visual surface area of the wall.**

Exhibit B – Site Plan



Close up of retaining walls that are more than 10 Cumulative Feet in height.

T.O.W. = 6,709' ±
B.O.W. = 6,704' ±

AMUR MAPLE (2)
D-3
GROUNDSMOKE
FRINGED SAGEBRUSH

6,690
6,692
6,694
6,696
6,698
6,700
6,702
6,704

LINE OF BUILDING ENVELOPE PER PLAT

BIG SAGEBRUSH

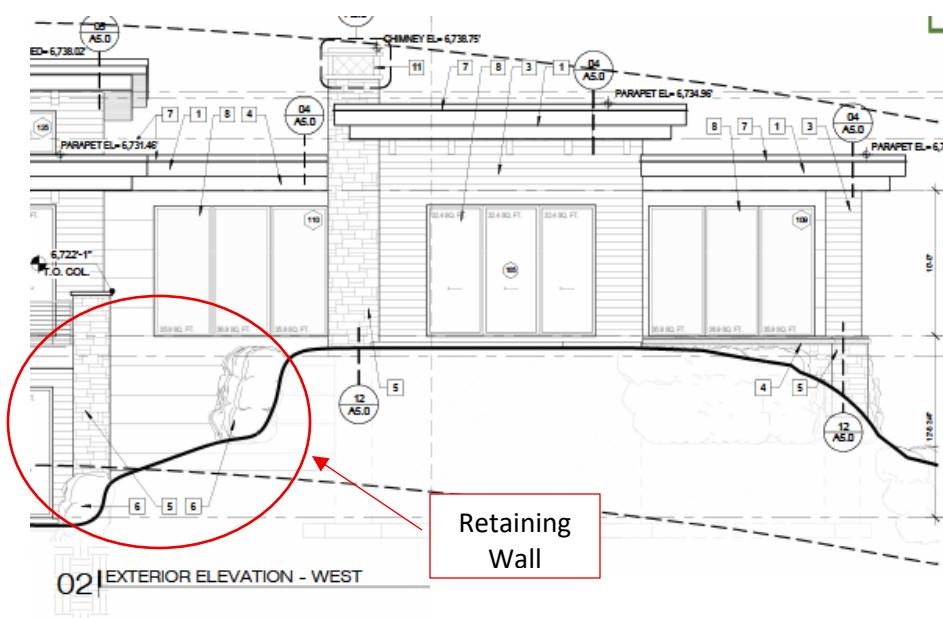
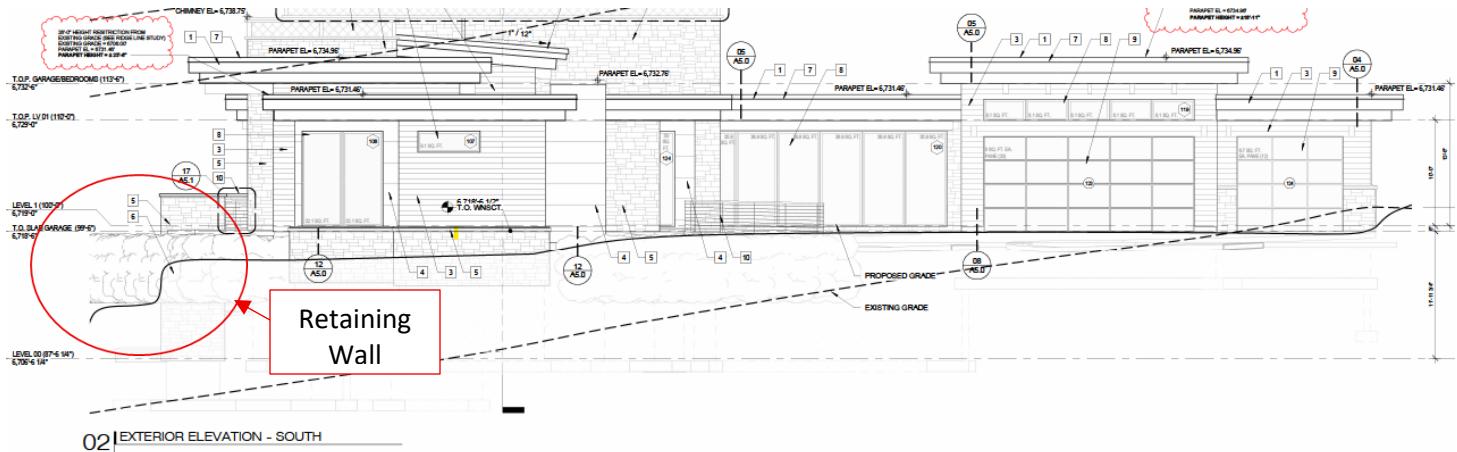
6,698
6,700
6,702
6,704

T.O.W. = 6,718' ±
B.O.W. = 6,710.5' ±
T.O.W. = 6,709' ±
B.O.W. = 6,703' ±
T.O.W. = 6,718' ±
B.O.W. = 6,710.5' ±
T.O.W. = 6,709' ±
B.O.W. = 6,703' ±

ALLOWABLE BUILD

111079-00

Exhibit C – Proposed Wall and Location



Each wall will be approximately six feet in height from finished grade to top of wall at most.



Exhibit D – Letter of Objection

From: [REDACTED]
Sent: Saturday, July 19, 2025 11:50 AM
To: Amy Graves <AGraves@wasatch.utah.gov>
Cc: alexis@taliskerhoa.com <alexis@taliskerhoa.com>
Subject: Re: Objection to Conditional Use Permit at 9459 N Sunset View Dr.

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Pictures did not seem to attach. Please see here.



[Sent from Yahoo Mail for iPhone](#)

On Saturday, July 19, 2025, 11:49 AM [REDACTED] wrote:

To Whom It May Concern,

My name is [REDACTED] I own a lot at [REDACTED] My lot has a direct view west towards the lot on 9459 N Sunset View Dr.

I was pleased to receive your letter regarding the Conditional Use Permit of the retaining wall at that property. I categorically object to this request. Either the owners of that lot or the one between my lot and theirs have already put up a very large wall that I have reported to Talisker. My view of the landscape is greatly compromised by this wall. Not only is it right in my view corridor, but it dramatically changes the horizon line over the mountain. I have attached some pictures demonstrating the size of this wall as it stands today. If the pictures are not about the lot in question of the letter I received, I would appreciate an investigation into that lot and the permitting as well.

To be completely transparent, I am shocked that this was even allowed to be put in, in the first place. I would greatly appreciate action made by the County on this matter. Thank you.

[REDACTED]

From: [REDACTED]
Sent: Monday, July 21, 2025 5:21 PM
To: Anna Anglin <AAnglin@wasatch.utah.gov>
Cc: Amy Graves <AGraves@wasatch.utah.gov>
Subject: Re: Objection to Conditional Use Permit at 9459 N Sunset View Dr.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Anna- Understood. I still stand by my objection that they be allowed to build another massive wall over 10 feet. Thank you for letting me go on record.

On Monday, July 21, 2025, 5:15 PM, Anna Anglin <AAnglin@wasatch.utah.gov> wrote:

The subject this notice was sent out for is a wall with a section that has a combined height of 16 feet located on the south side of the property (see picture located on the second page of the notice sent on 7/16/2025). The section of the ordinance that regulates retaining walls is **16.27.20: RETAINING WALLS**. Tiered walls that are under ten feet in height each but have a cumulative height of under 30' and are less than 800 feet in length can be approved administratively through a conditional use process. The subject wall is on the opposite side of the house currently being built than the wall you are looking at (see aerial in this email).

The wall you sent a picture of was approved last year through a conditional use process. The notice for that wall was sent on October 9, 2024, and the comment period ended on October 19, 2024. I am showing in my system that you were included in the notification of that wall as well. This wall is a three-tiered wall that is no more than nine feet in height each. The plans showed that any individual wall is no more than nine feet in height and has a combined height of 24'. The total length of the wall was just over 700 feet according to the plans that were submitted and approved on 10/29/2024 (DEV-9889). Any appeal period or request for a public hearing has expired pursuant to **section 2.02.02(G)** of the Wasatch County Code.

If you would like to discuss the retaining wall for the current notice and would like more information on it, please let me know. If this is something you want to request a public meeting for, please respond to this email stating that.



Anna Anglin

Wasatch County Planning Department

35 South 500 East

Heber City, Utah 84032

435.657.3239





**Wasatch County
DESIGN REVIEW
COMMITTEE (DRC)
COMMENTS**

PROJECT ID: DEV-11079
PROJECT NAME: CUP - KEITH AND RUTH KNOCKEART TR -
9459 N SUNSET VIEW DR
VESTING DATE: 7/14/2025
REVIEW CYCLE #: 1

REVIEW CYCLE STATUS: APPROVED

Project comments have been collected from reviewers for the above noted review cycle and compiled for your reference below. Please review the comments and provide revised plans/documents if necessary. **Resubmittals must include a plan review response letter** outlining where requested changes and corrections can be found. Failure to provide such a letter will result in the project being returned to you.

When uploading revisions please name your documents exactly the same as it was previously uploaded.
Revision numbers and dates are automatically tracked. There is no need to re-upload documents that aren't being changed. DO NOT DELETE documents and then upload new ones.

Once you have addressed all of your items and successfully uploaded your revisions, be sure to re-submit your project for review. Resubmittal must be made through the portal in order to receive official review. Projects requiring Planning Commission approvals or recommendations will not be placed on a planning commission agenda until all DRC reviewers have recommended the item to move forward.

Entity	Decision
Engineering Department	Approved
Planning Department	Approved
Jordanelle SSD	Approved
Public Works Department	Approved
Sherriff Office	Approved
SUR- Administration	Approved
Fire SSD	Approved
Health Department	Approved
Building Department	Approved
GIS Department	Approved

Approved = Reviewing entity has approved the project under consideration of their applicable codes. Any open comments are considered conditions of the entities recommendation.

Ready for Decision = Reviewing entity recommends the project move forward to a Planning Commission meeting (if applicable). Any open comments are considered conditions of the entities recommendation.

Changes Required = Reviewing entity has identified an issue(s) that needs to be resolved before recommending the project move forward.

No Action = Reviewing entity has not taken any action for the review cycle.

OVERALL PROJECT COMMENTS

DRC Project Comments		
Comment ID	Entity	Comment
DRC-ENG1	ENG - Engineering	Because the retaining walls are greater than 4', they will have to be approved by the Wasatch County Building Department.
DRC-PLN1	PLN - Planners	The Planning Department received a letter from one of the property owners within 500 feet of the notice area opposing the size of the retaining wall. The application will need to be moved to the next Planning Commission meeting for a decision on the retaining wall.

PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY

DRC - Engineering Dept		
Comment ID	Sheet Name	Comment
DRC-ENG1		Because the retaining walls are greater than 4', they will have to be approved by the Wasatch County Building Department.



WASATCH C O U N T Y

Item 3 – Tuhaye Final Site Plan Approval for Maintenance Building Addition

Project: DEV-10467 | Tuhaye Maintenance Building Addition Final Site Plan
Meeting Date: 14 August 2025
Report Date: 7 August 2025
Report Author: Anna Anglin, Planner
Council Action Required: No
Land Use Authority: Planning Commission
Applicant: Rhett Riding

Acreage: 3.22 Acres
Location of Project: 9213 N Wakara
Zoning Designation: JBOZ (Jordanelle Basin Overlay Zone)
Related Applications: Master Plan Amended (10/24/2017), Plat Amendment Recorded (3/3/2006) to allow existing maintenance Building

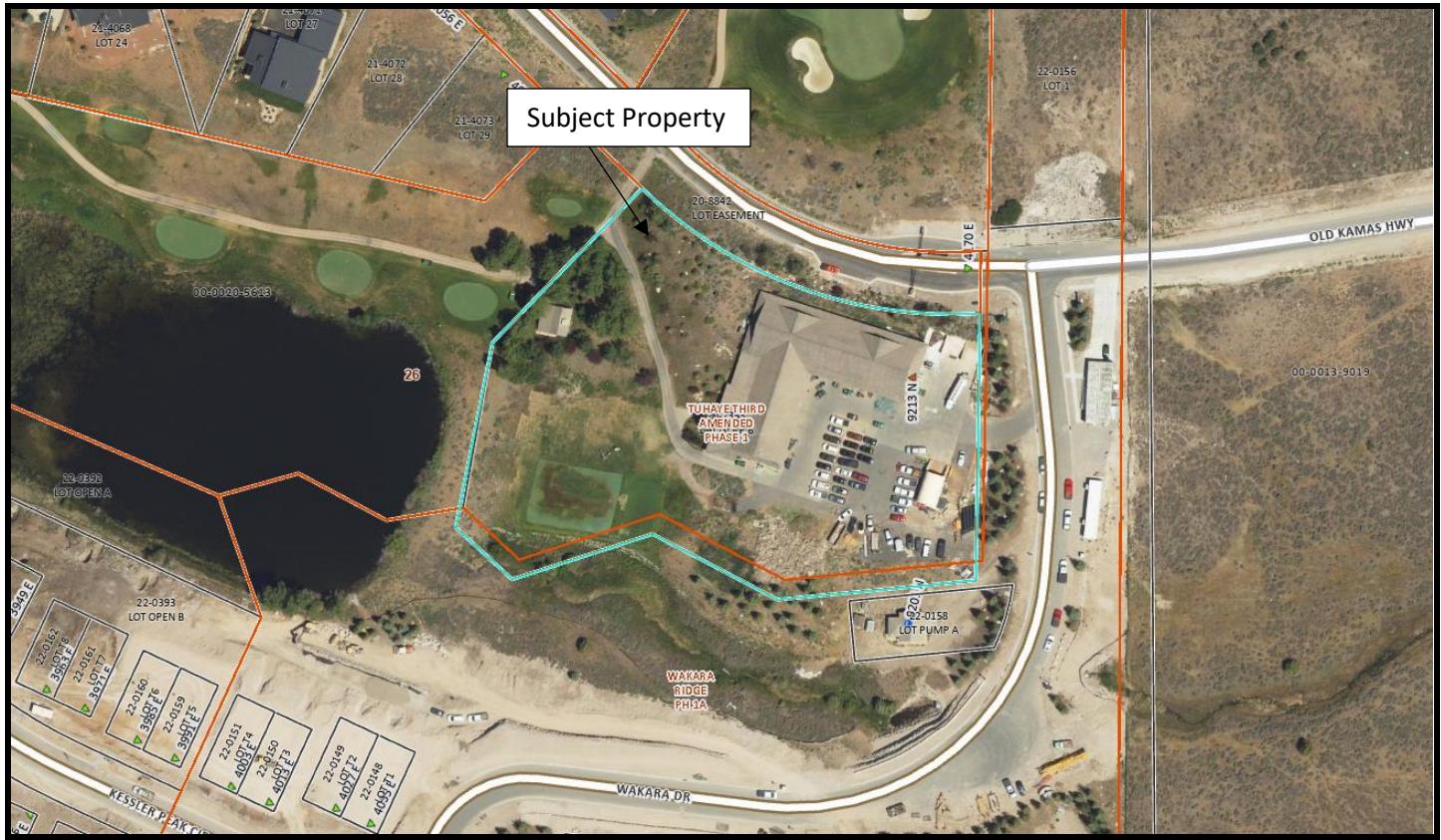
BACKGROUND

The Tuhaye Master Development is a private community located at the northeast of the Jordanelle Reservoir. The community was approved as a private development. The existing main entrance is accessed from Highway 248 a short distance east of the Hideout town border. A second access exists at the eastern edge of the development on Tuhaye Hollow Drive near the Summit County border. The application is to add a second, smaller maintenance building and cart wash on the same property as the existing maintenance building which is close to the access at the eastern edge of the development. The proposed additional HOA Maintenance building contains an office, break room, restrooms and garage bay areas. The use is considered ancillary to the overall development, and all improvements are kept within the platted parcel created through the third plat amendment of Tuhaye Phase 1.

RECOMMENDATION

Based on the analysis in this staff report, it is recommended that the Planning Commission APPROVE the maintenance building based on the findings included in the staff report.

Planning Commission Staff Report



PURPOSE AND INTENT

MAINTENANCE BUILDING SITE PLAN REVIEW-

The subject property is in the Jordanelle Basin Overlay Zone (JBOZ) Community/Civic Facilities are allowed in the Jordanelle Basin Overlay (JBOZ) zone as the needs arise, making an additional maintenance building allowed as a permitted use. The use is considered ancillary to the overall Tuhaye development for maintenance needs. A permitted use is required to go through a final site plan review to ensure that the proposed use and all the necessary ancillary issues, i.e., parking, landscaping, lighting, architecture etc., have been considered and comply with code. The purpose outlined in the JBOZ Zone is quoted (in part) below:

16.15.01: PURPOSE

The Jordanelle Basin overlay zone (JBOZ) is to implement the goals and standards established by the previously adopted Jordanelle Basin land use plan and map and accomplish the following purposes:

1. *The lands comprising the overlay zone include all the Jordanelle Basin;*
2. *To allow for development of the lands which complies with the goals and standards of the plan;*
3. *To preserve and protect the natural beauty of the Jordanelle Basin;*
4. *To establish regulations by which development may take place in the JBOZ.*

KEY ISSUES TO CONSIDER

- Does the proposal meet zoning requirements, including supplementary development standards?

STAFF ANALYSIS

-LAND USE AND DENSITY-

Tuhaye Phase 1 Subdivision was recorded on March 4, 2004, to allow for maintenance buildings at this location by creating parcel 6, which is a Maintenance Facility Parcel. The Maintenance facility is surrounded by a common area approved for a golf course and open space. The maintenance facility is homebase for the employees who perform maintenance and repair throughout the development. The reason for the new structure is to accommodate employees by providing an office area, break room, restrooms and garage bay areas. In addition, the proposed site plan includes improving the existing cart wash at the same location with better equipment.

-SETBACKS-

Setbacks for non-residential uses in the JBOZ shall be as follows:

1. Front: Ten (10) feet minimum.
2. Side, Interior: Ten (10) feet minimum.
3. Rear: Thirty (30) feet minimum.
4. Setback from adjacent residential property line: Thirty (30) feet minimum.

The setbacks for the proposed building will meet minimum requirements. There are no residential uses adjacent to the subject property.

-ROADS, ACCESS AND TRAFFIC-

The access to the maintenance building is off Wakara Drive which has one access point. The property is accessed by an easement over open space that has been in place since 2006. It is the only means of access for the property and is only used by the employees of Tuhaye. Currently the number of employees that work at this location is 12. The new building will allow an additional five employees once it is built. In total there will be seventeen employees.

-PARKING-

The most similar use listed in section 16.33.13 (Parking Computation) to the maintenance facility is *Laboratory research, industrial, manufacturing, wholesale establishments*. The parking required is *one space per employee on the highest shift*. The applicant states the maximum number of employees at this location on any shift will be 17. The parking lot currently has a total of 20 parking spaces, and the applicant is proposing to add an additional 19 spaces in total of 39 spaces, which is more than the minimum parking required.

Section 16.33.12: Parking Lot Improvement Requirements require a minimum of an 8'X8" landscaped island per every sixteen stalls to break up the linear appearance of the parking lot. The total required parking lot landscaping for 39 stalls is 2.4 islands. Rounding it down, the landscaping parking island requirement for this project is two islands. The applicant is proposing an 8' by 8' landscape island where the fire hydrant is currently located to bring the existing parking lot into compliance with this section of ordinance. The applicant is also proposing to incorporate a landscaping island into the new parking area to break up the proposed parking to satisfy this requirement as well. (Exhibit B)

-LANDSCAPING –

Section 16.21.10(E) requires 35% of the front and side yards to be covered with live vegetation. In addition, 16.21.10(F) requires one tree per 50 feet of street frontage and 1 tree per every 1,000 square feet of required landscaped area. The

lot frontage facing Wakara Drive is approximately 260 feet and the lot frontage on Tuhaye Hollow is 350 feet. The total number of required street trees is 12. The required landscape area is approximately 3,300 square feet. The total number of landscaping trees required is 10 and total number of landscaping shrubs is 20. The total square footage of the lot is 140,250.44 square feet. The Landscaping Plan states the Maintenance building parcel site has 77,895 square feet of landscape area. Making the landscaped area 55% of the total lot area. Most of the landscaping being used towards the landscaping requirements are existing native species. The existing vegetation exceeds landscaping requirements of this parcel. In addition, any areas that are disturbed during the construction of the building and parking area will be hydroseeded with a seed mix with native species of grasses. (Exhibit C)

- BUILDING HEIGHT -

JBOZ does not list a height limit in the ordinance. The proposed height of the building is approximately 30 feet. (Exhibit E)

-LIGHTING -

Section 16.21.16 Exterior Lighting Regulations states lighting outside of required lighting by the IBC and recommended lighting for parking areas by the IES is limited to 25,000 lumens per improved acre. The site lighting for the maintenance buildings is a total of 12,658 lumens per improved acre, which is within the ordinance requirements. In addition, the lighting chapter requires any existing lighting on an approved property to come into compliance with the current dark sky ordinance as to fixtures, lumens, and color. The applicant is proposing to upgrade all existing lighting with this parcel. (Exhibit D)

DEVELOPMENT REVIEW COMMITTEE

This proposal has been reviewed by the various members of the Development Review Committee (DRC) for compliance with the respective guidelines, policies, standards, and codes. A report of this review has been attached in the exhibits. The Committee has accepted the item for Planning Commission to render a decision.

POTENTIAL MOTION

Move to Approve the new Maintenance Building Addition consistent with the findings presented in the staff report.

- FINDINGS -

1. On March 3, 2006, Tuhaye Phase 1 Third Amendment was recorded with the County.
2. The original Tuhaye Phase 1 Recorded Plat allowed a maintenance facility at this location.
3. The proposed building is ancillary to the Tuhaye development.
4. The proposed building meets setback requirements.
5. The proposed project has an existing access point through a recorded easement.
6. The proposal is located in the Jordanelle Basin Overlay Zone (JBOZ) and is in the common area of development.
7. The proposed project will have adequate parking.
8. The proposed project will meet landscaping requirements found in 16.21.10 of the Wasatch County Code.
9. The proposed height does not violate the Wasatch County Code.
10. The proposed project meets the Dark Sky requirements found in section 16.21.16 of the Wasatch County Code and will bring all lighting on the lot into compliance with current standards

ALTERNATIVE ACTIONS

The following is a list of possible motions the Planning Commission can take. If the action taken is inconsistent with the potential findings listed in this staff report, the Planning Commission should state new findings.

1. Approve. This action may be taken if the Planning Commission finds that the Final Site Plan is compliant as proposed with Wasatch County Code and all other applicable ordinances. ***This action would be consistent with staff analysis***
2. Approve with Conditions. This action can be taken if the Planning Commission feels comfortable that remaining issues can be resolved subject to the conditions noted.
3. Continue. This action can be taken if the Planning Commission needs additional information before making a recommendation, if there are issues that have not been resolved, or if the application is not complete.
4. Deny. This action can be taken if the Planning Commission finds that the proposal does not meet applicable codes and/or ordinances.

EXHIBITS

Exhibit A – Vicinity Plan.....	6
Exhibit B – Site Plan with Parking Calculations	7
Exhibit C – Landscaping Plan	9
Exhibit D – Lighting Plan.....	10
Exhibit E – Architectural Plans.....	11
Exhibit F – DRC Report	13

Exhibit A – Vicinity Plan

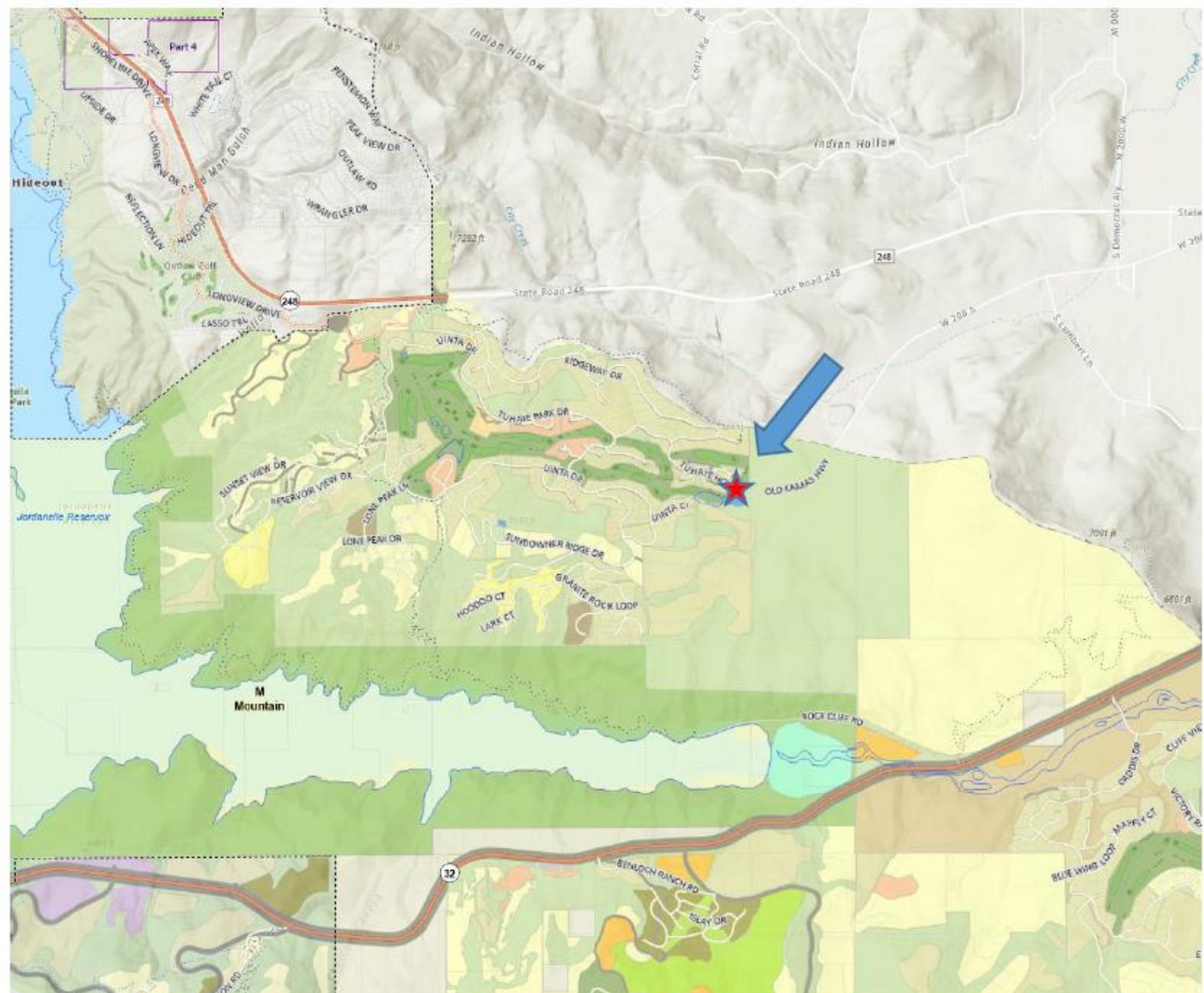
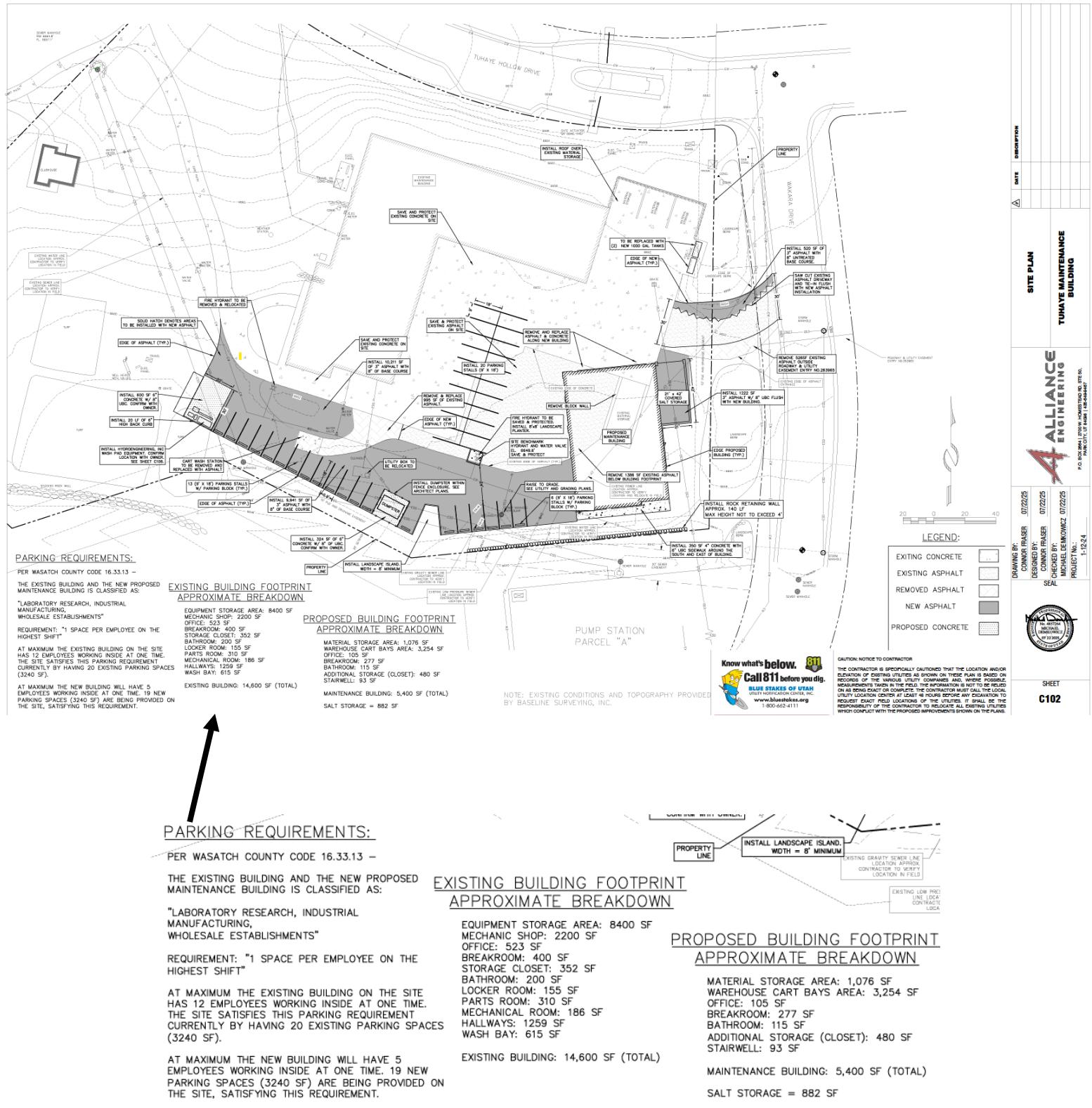


Exhibit B – Site Plan with Parking Calculations





- + Architecture
- + Landscape Architecture
- + Land Planning
- + Construction Management
- + Interior Design

June 4, 2025

Attn: Wasatch County Planning Department

Re: Parking Computation for the Tuhaye Maintenance Building

Per Wasatch County Code Ordinance 16.33.13 (Parking Computation) it is proposed that this project have a minimum of 1 space per employee on the highest shift, in compliance with the Industrial/Manufacturing use description. This use description seems to be the most appropriate and applicable from the table. There are a maximum of 5 employees in this facility at the highest shift. 19 stalls are being provided, which is in compliance with the minimum requirements.

Thank you,
NH Rather, Architect



7927 High Point Parkway

Suite 300

Sandy, Utah 84094

801-269-0055

www.thinkaec.com

Exhibit C – Landscaping Plan

LANDSCAPE NOTES

- CONTRACTOR SHALL BE RESPONSIBLE FOR BECOMING AWARE OF ALL RELATED EXISTING CONDITIONS, UTILITIES, PIPES, AND STRUCTURES, ETC. PRIOR TO BIDDING AND CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES FOR FIELD LOCATION OF ALL UNDERGROUND UTILITY LINES, INCLUDING DEPTHS, PRIOR TO ANY EXCAVATION. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY AND ALL COST OR OTHER LIABILITIES INCURRED DUE TO DAMAGE OF SAID UTILITIES/STRUCTURES/ETC.
- CLEAR ALL VEGETATION AND LOOSEN COMPAKTED SOIL BY SCRAPING, SCARIFYING, OR TILLING (ONLY IF NECESSARY). DO NOT PLANT SEEDS DEEPER THAN 1/4 INCH.
- SOW IN SPRING, EARLY SUMMER, OR LATE FALL. FOR FALL PLANTINGS, ENSURE PLANTING OCCURS AT LEAST 10-12 WEEKS BEFORE DORMANCY.
- APPLY SEED AT 4-5 LBS/ACRE. AVOID OVERSEEDING TO PREVENT COMPETITION AND POOR PERENNIAL ESTABLISHMENT.
- KEEP SOIL CONSISTENTLY MOIST DURING ESTABLISHMENT. WATER DAILY IN EARLY SPRING, OR TWICE DAILY IN LATE SPRING, SUMMER, OR ARID REGIONS. REDUCE FREQUENCY AFTER 4-5 WEEKS. WATER IN THE EARLY MORNING AND SUPPLEMENT DURING HOT, DRY PERIODS.
- AUTOMATIC IRRIGATION SYSTEM IS NOT PROVIDED FOR THE LANDSCAPING ON THIS SITE. PLANTS SELECTED ARE INTENDED TO GROW NATURALLY ON SITE WITHOUT SUPPLEMENTAL IRRIGATION, EXCEPT AS NOTED ON THE PLANS

SITE LEGEND

SYMBOL	DESCRIPTION	QTY
Hydroseeded Area - ARC Approved Native Seed Mix including the following:	-ALYSSUM ALYSSOIDES -ASTRAGALUS -ARTEMISIA LUDOVICIANA -COLLOMIA LINEARIS -GAILLARDIA -LUPINUS ARGENTEUS -PENSTEMON STRICTUS -SENECIO INTEGRERIMUS -ELYMUS SPICATUS -POA FENDLERIANA	8,160 SF
Existing Site Vegetation including mix of sagebrush, rabbit brush, native grasses and perennials		69,735 SF
Existing Street Frontage Vegetation including mix of sagebrush, rabbit brush, native grasses and perennials		12,406 SF

SITE SUMMARY

	REQUIRED	PROVIDED
LOT SIZE:		140,250.44 SF
SITE LANDSCAPE AREA:		77,895 SF
STREET FRONTAGE LANDSCAPE AREA		12,406 SF
STREET TREES (648 LF):	1 PER 50 LF FRONTAGE = 13	27
SITE TREES:	1 PER 1000 SF OF LANDSCAPED AREA = 78	85
SITE SHRUBS	1 PER 500 SF = 156	NATURAL AREA SHRUBS INCLUDE SAGEBRUSH AND RABBIT BRUSH EXCEED REQUIREMENT
PLANT VEGETATION COVERAGE	35% 27,263.25 SF	100% ALL LANDSCAPE AREAS ARE COVERED SEED MIX OR EXISTING VEGETATION, AND WILL FILL IN THE AREA WITHIN 3 YEARS OF PLANTING

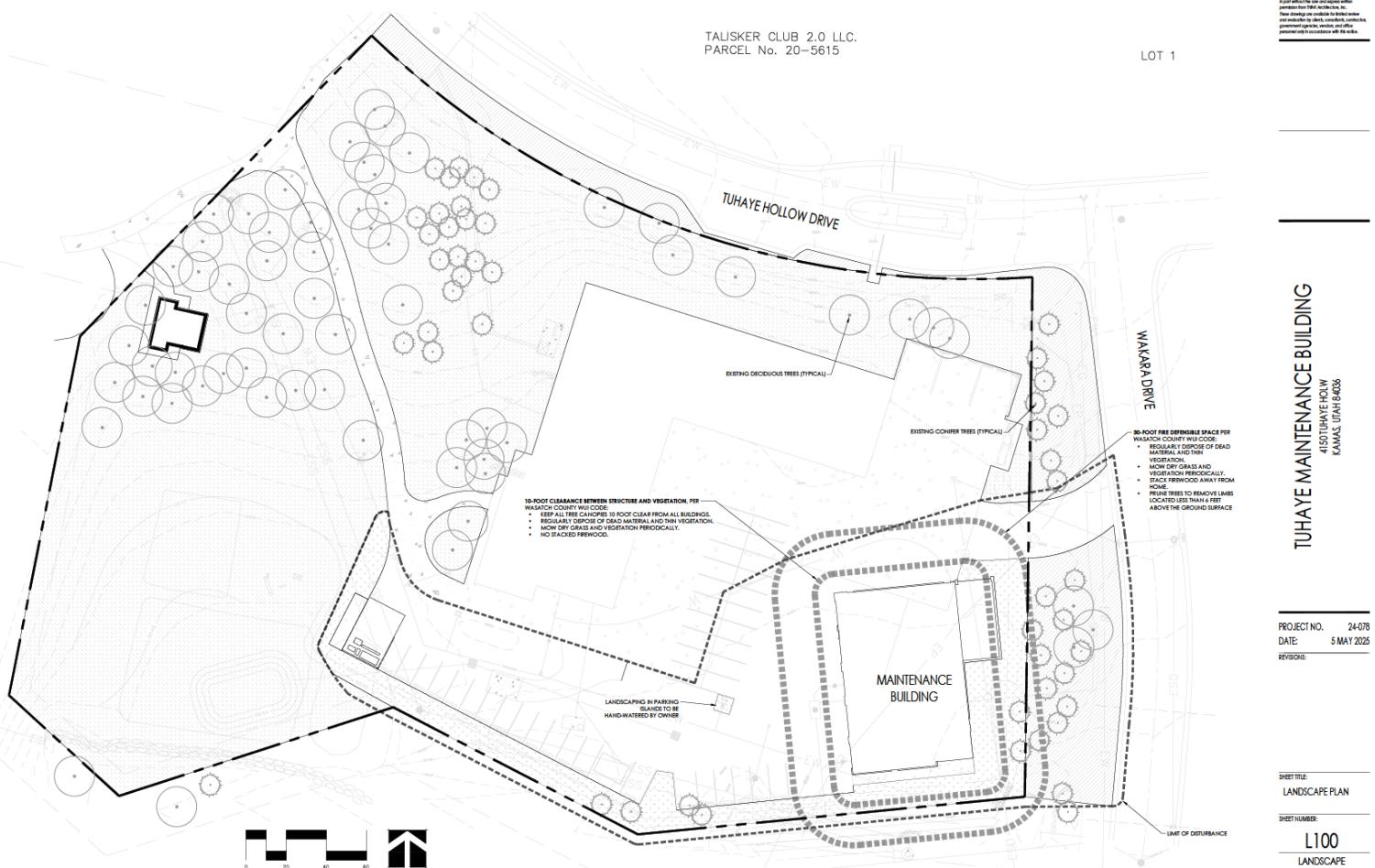


Exhibit D- Lighting Plan

NOTES:

(7) existing lights on the existing building shall be replaced with the same fixture on the new building
 All exterior light switches shall be replaced with a timer programed to turn off by 10pm but be able to be manually overridden for maintenance purposes when necessary.

Fixture Notes:

- 1) REPLACE EXISTING FIXTURE WITH NEW FIXTURE THAT MATCHES NEW BUILDING.
- 2) NEW WALL FIXTURE, SEE CUT SHEET
- 3) NEW FIXTURE IN SOFFIT. SEE CUT SHEET.



WST LED

Architectural Wall Sconce



Specifications

Luminaire

Height: 8-1/2" (21.59 cm)
 Width: 17" (43.18 cm)
 Depth: 10-3/16" (26.39 cm)
 Weight: 20 lbs (9.07 kg)



WST LED

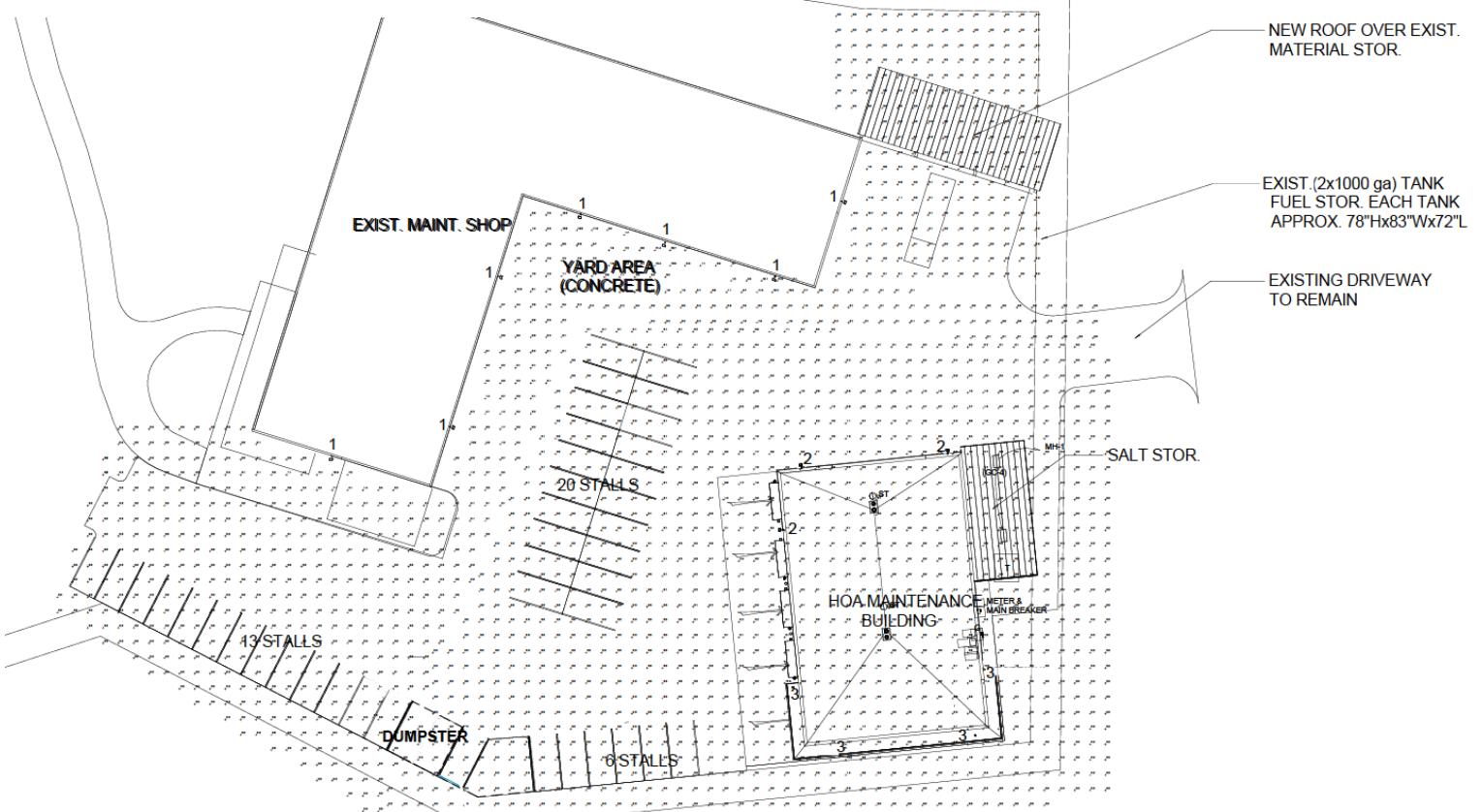
Series

WST LED

Performance Package

- P1 1,500 Lumen package
 P2 3,000 Lumen package
 P3 6,000 Lumen package

27K 2700 K
 30K 3000 K
 40K 4000 K
 50K 5000 K



LDN6 STATIC WHITE



LDN6	Series	Color temperature	Lumens*	Trim Style
LDN6 6" round	27/ 2700K	05 500 lumens	L06 Downlight	
	30/ 3000K	07 750 lumens	LW6 Wallwash	
	35/ 3500K	10 1000 lumens		
	40/ 4000K	15 1500 lumens		
	50/ 5000K	20 2000 lumens		
		25 2500 lumens		

Exhibit E- Architectural Plans



FULL BED MASONRY:
TICK STONE 8X8X16 INCHES MONKSON AND 2X8 INCHES



WOOD SIDING (VERTICAL):
THE WALK MODIFIED WOOD. MONTANA TIMBER PRODUCTS. AGUA DE THERMALLY MODIFIED
REDWOOD. CLEAR GRAIN. TANNOY COLOUR. SWN VERTICAL SIDING. 1/2 INCH KNOT HOLE EDGES



TRIMS, PARAPET CAP
STEEL OR VINYL
COLOR: PVC WITH TONIC / CHIAGO METAL TRIMBLE CLAY



WINDOWS:
PAINTED STEEL DOORS AND WINDOWS
COLOR: DARK BRONZE



VENTED ALUMINUM SOFFIT:
ALUMINUM SOFFIT WITH WOOD LOOK (WHITE ASH COLOR)



VIEW FROM INTERSECTION



VIEW FROM TURN IN



VIEW LOOKING AT EAST ELEVATION AND BREAKROOM



VIEW FLOORING AT WEST SIDE AND SALT STORAGE



VIEW OF WEST ELEVATION



VIEW FROM SOUTH WEST



VIEW LOOKING SOUTH WALKWAY TO BREAKROOM



VIEW FLOORING AT BREAKROOM



**Wasatch County
DESIGN REVIEW
COMMITTEE (DRC)
COMMENTS**

PROJECT ID: DEV-10467
PROJECT NAME: FINAL SITE - HOA MAINTENANCE
BUILDING
VESTING DATE: 6/10/2025
REVIEW CYCLE #: 2

REVIEW CYCLE STATUS: READY FOR DECISION

Project comments have been collected from reviewers for the above noted review cycle and compiled for your reference below. Please review the comments and provide revised plans/documents if necessary. **Resubmittals must include a plan review response letter** outlining where requested changes and corrections can be found. Failure to provide such a letter will result in the project being returned to you.

When uploading revisions please name your documents exactly the same as it was previously uploaded.
Revision numbers and dates are automatically tracked. There is no need to re-upload documents that aren't being changed. DO NOT DELETE documents and then upload new ones.

Once you have addressed all of your items and successfully uploaded your revisions, be sure to re-submit your project for review. Resubmittal must be made through the portal in order to receive official review. Projects requiring Planning Commission approvals or recommendations will not be placed on a planning commission agenda until all DRC reviewers have recommended the item to move forward.

Entity	Decision
Engineering Department	Ready for Decision
Jordanelle SSD	Ready for Decision
Planning Department	Ready for Decision

Approved = Reviewing entity has approved the project under consideration of their applicable codes. Any open comments are considered conditions of the entities recommendation.

Ready for Decision = Reviewing entity recommends the project move forward to a Planning Commission meeting (if applicable). Any open comments are considered conditions of the entities recommendation.

Changes Required = Reviewing entity has identified an issue(s) that needs to be resolved before recommending the project move forward.

No Action = Reviewing entity has not taken any action for the review cycle.

OVERALL PROJECT COMMENTS

DRC Project Comments		
Comment ID	Entity	Comment
DRC-JSSD2	DRC - Jordanelle SSD	Prior plan set had a sheet C104 for utilities which included comments. Please provide revised C104.
DRC-JSSD4	DRC - Jordanelle SSD	Landscape irrigation is not needed for the project as per the updated landscape plan provided to JSSD on 7/31/2025. Will Serve letter reflects this.

PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY

DRC – Planning Dept		
Comment ID	Sheet Name	Comment
DRC-PLN9	11 - Lighting & Signage Plan	<p>All the replaced lighting shown on the existing maintenance building are the proposed wall sconces at 3,276 lumens and 3000 kelvins per fixture. Replacing 7 existing lights and adding three new wall sconces to the proposed maintenance building totally 10 wall sconces. (32,760 lumens)</p> <p>Four new in soffit fixtures being proposed at 2,000 lumens and 3,000 kelvins per fixture (8,000 lumens). Total lumens proposed: 40,760 Section 16.21.16(I)(3)(c) of the WCC Total lumens allowed is 80,500</p> <p>A timer for the exterior lights is required to meet section 16.21.16(I)(6) of the WCC</p>

COUNTY MANAGER

Dustin A. Grabau

COUNTY PLANNERS

Doug G. Smith, Director
Austin Corry, Assistant Director
Anders Bake, Planner
Anna Anglin, Planner
Caden Lyon, Planner



COUNTY COUNCIL

Kendall Crittenden
Colleen Bonner
Karl McMillan
Mark Nelson
Spencer Park
Erik Rowland
Luke Searle

MEMORANDUM

To: Wasatch County Planning Commission

From: Austin Corry, Assistant Planning Director

Date: 6 August 2025

Re: Item # 4 – Goals and Policies for Public Services, Environmental and Resource Management, and Economic Development elements of the General Plan

Commissioners,

As progress continues on the General Plan, the Advisory Committee has established concepts to address in the plan and begun the process of drafting goals and policies. Staff has taken those concepts and prepared draft goals and policies for your consideration and feedback as the Advisory Committee continues to work on refining the recommendations.

It is requested that the Planning Commission review the draft goals for the three elements under discussion at this time and provide feedback for staff and the advisory committee. Key questions to consider are:

1. Do the drafted goals accurately support the Vision as established through community input?
2. Are there goals or policies included in the list that contradict the community Vision?
3. Are there issues not being addressed by the drafted goals and policies?
4. Is the level of specificity of the goals and policies in line with the intended objectives of the General Plan rewrite process as directed by the Planning Commission and Council?

Chapter 1 – Introduction

- Describe scope of Plan (unincorporated county only, not incorporated municipalities or master plan for various SSDs, not school district, etc. but to facilitate coordination)
- Describe planning process and community engagement efforts

Chapter 2 – Background

Historical Context

- Defined Values
 - Pragmatism
 - Frugality
 - Simplicity
 - Cooperation
- Framework for Plan (objectives of plan)
 - Preserving our Character
 - Enhancing Quality of Life
 - Fostering Community Engagement
 - Sharing Our Values

Goals and Policies

Vision: Wasatch County stands as a community where rural heritage and natural wonders endure as we deliberately guide our future.

GOAL 2.1: Enhance the quality of life in Wasatch County through comprehensive planning and effective resource allocation.

POLICY 2.1.1: Develop an Annual Indicator Report to review the General Plan policies against quantitative indicators and triggers, ensuring the community is on the right path and adjust as necessary.

POLICY 2.1.2: Review completed work and annual indicators, and prioritize strategies for implementation as part of the budget process.

POLICY 2.1.3: Systematically respond to changing conditions by reviewing Plan amendment proposals annually in coordination with the Annual Indicator Report and budgeting process.

POLICY 2.1.4: Seek partnerships with public and private organizations to secure funding or other resources that support the goals of the Plan.

GOAL 2.2: Promote broad-based and informed decision-making process through citizen participation at all levels of community governance.

POLICY 2.2.1: Identify key elements affecting quality of life in Wasatch County using community surveys, open houses, and various technological means.

POLICY 2.2.2: Continue to provide opportunities for citizen involvement in the County's decision-making process through the Planning Commission and other boards or committees.

POLICY 2.2.3: Educate the public on the public input process and available avenues for discussion and comment.

POLICY 2.2.4: Publish the results of Wasatch County initiatives, studies, designs, and budgets in multiple formats, both electronic and print, and in multiple locations.

POLICY 2.2.5: Establish clearly defined methods for responding to community input on planning and zoning matters and monitor these methods to ensure their effectiveness.

GOAL 2.3: Improve collaboration between the county, municipalities, special service districts, the school district, and other public and private entities where shared values can be discussed and coordinated to maximize public benefit.

POLICY 2.3.1: Be a driving force to coordinate with public and private groups to address quality of life issues related to cultural, social, and educational opportunities on a regional scale.

POLICY 2.3.2: Meet regularly with outside agencies or boards to improve review processes, align shared values, and ensure timely and accurate information sharing.

POLICY 2.3.3: Partner with Wasatch County School District to incorporate school planning into the process of community planning and zoning.

Chapter 6 – Environment and Resource Management

- Identify key environmental constraints
 - Air quality
 - Water quality – note the water quality study
 - Wildlife corridors
- Wildland Urban Interface, timber harvesting, grazing
- Noise
- Light Pollution
- Ridgelines/Viewshed
- Address coordination for management of Public Lands (CRMP)

Goals and Policies

Vision: As stewards of the important natural resources that bring both aesthetic and life-sustaining value, Wasatch County will strive to create a lasting balance between human interaction and environmental preservation.

GOAL 6.1: Ensure the County's air quality exceeds National Ambient Air Quality Standards.

POLICY 6.1.1: Support the implementation of air quality monitoring throughout the County to provide objective, data-driven policy decisions.

POLICY 6.1.2: Assess the impacts of proposed development on air quality and implement measures to eliminate or mitigate negative impacts before approval of a development or change of use.

POLICY 6.1.3: Discourage extensive use of wood-burning stoves in large-scale master-planned developments.

POLICY 6.1.4: Consider air quality standards and objective data when reviewing any land use or transportation policy.

GOAL 6.2: Maintain the pristine designation of underground water and ensure surface streams meet their water quality classifications.

POLICY 6.2.1: Prohibit the use of septic tank drainfields in all areas where ground-water periodically rises within four (4) feet of the ground surface, unless the design of the individual waste water disposal system is approved by the State and County for use in high ground water condition.

POLICY 6.2.2: Restrict septic drainfields in developments with a density greater than one (1) unit per five (5) acres, except for non-conforming lots of record.

POLICY 6.2.3: Require new dwellings or commercial uses within three hundred (300) feet of a sewer collection system to connect to the sewer system as part of the development or building permit approval.

POLICY 6.2.4: Require all development proposals to include an erosion control plan and comply with all necessary local and state permits.

GOAL 6.3: Protect sources of culinary water from pollution.

POLICY 6.3.1: The Wasatch County Health Department should establish and maintain standards for culinary water that meet or exceed the Utah State Division of Drinking Water regulations.

POLICY 6.3.2: Develop land use regulations that assist in the protection of identified culinary water source protection zones.

POLICY 6.3.3: Coordinate with the Division of Environmental Quality and the Division of Natural Resources to track water quality, identify threats, and update county regulations as required.

GOAL 6.4: Protect wildlife habitat and scenic views important to Wasatch County's identity

POLICY 6.4.1: Preserve views and ridgelines from development as viewed from prominent locations by prohibiting structures from encroaching above the ridgeline.

POLICY 6.4.2: Protect the views of the night sky and reduce the health impacts of artificial light by requiring dark sky compliant lighting for all developments.

POLICY 6.4.3: Limit land disturbance that would remove significant clusters of native vegetation or be highly visible on hillsides and steep slopes.

POLICY 6.4.4: Protect against catastrophic events in the Wildland Urban Interface area by prohibiting incompatible land uses and by implementing cost-effective fuel management strategies such as grazing and timber harvesting where appropriate.

POLICY 6.4.5: Require development proposals in identified wildlife corridors to mitigate impacts in a way that preserves critical habitat and allows safe wildlife migration.

POLICY 6.4.6: Coordinate with responsible agencies and stakeholders to implement measures that limit wildlife-vehicle collision.

POLICY 6.4.7: Preserve agricultural zoning in the North Fields and Round Valley areas for their cultural significance, open space qualities, and positive contributions to water quality and resources. Oppose any development that could harm the area's character or hinder farmers' ability to operate and maintain their land.

GOAL 6.5: Support the wise use, conservation, and protection of public lands and resources through well-planned management prescriptions.

POLICY 6.5.1: Utilize a Public Lands Committee to regularly meet and coordinate with State and Federal land managers regarding public land policies.

POLICY 6.5.2: Maintain a County Resource Management Plan to coordinate with public lands managers regarding County policies.

Chapter 8 – Public Services

- Relationship of boundaries of SSDs to land use and growth management
- Rural area limitations / lack of services / costs of sprawl

Goals and Policies

Vision: Wasatch County will proactively coordinate with the various entities providing utilities, emergency services, and public infrastructure to ensure necessary facilities and services are provided to the community in a fiscally responsible way. Through prudent policy guidance, we will promote systems that endure and serve the community.

GOAL 8.1: Prioritize development near existing municipalities and service providers to avoid sprawl, reduce infrastructure costs, and preserve the County's open and agricultural lands.

POLICY 8.1.1: Boundaries or services of special service districts should not be expanded except where in alignment with the future land use map.

POLICY 8.1.2: Establish mechanisms to regularly review the capacities of utility providers and their alignment with the General Plan.

POLICY 8.1.3: Limit the change of use from agricultural (irrigation or stock watering) to residential (domestic water) except within areas served by a culinary water provider or where water rights already allow for the use.

POLICY 8.1.4: Clearly communicate to residents, developers, and other stakeholders regarding the limitations of services in unincorporated area as part of the rural character.

GOAL 8.2: Support the development of cost-effective infrastructure that meets the needs of unincorporated areas of the County.

POLICY 8.2.1: Prepare and maintain a Capital Improvement Plan, reviewed yearly during the budget process, and make it available to the public.

POLICY 8.2.2: Require all developments to be connected to an existing approved culinary water system or be operated by a certified operator of an approved system, unless in compliance with added restrictions in the land use code.

POLICY 8.2.3: The primary method of sewer disposal shall be through a public sewer collection system.

POLICY 8.2.4: Ensure new developments pay for the extension or expansion of roads, water infrastructure, and sewer collection systems shall be paid for by new developments.

POLICY 8.2.5: Storm water runoff from each new development shall be controlled and limited to the discharge rate that occurred during the pre-developed condition.

POLICY 8.2.6: Wasatch County and the Cities and Towns of Heber Valley should develop a joint storm drainage system with the Cities and Towns of Heber Valley to

replace the irrigation ditch system that has been eliminated ~~due to the installation of by~~ pressured irrigation systems.

POLICY 8.2.7: Collaborate with other entities on projects to reduce resource use necessary to complete projects and to limit the disturbance duration of public facilities or access.

GOAL 8.3: Ensure adequate water sources for all new developments or changes in use.

POLICY 8.3.1: Before giving final approval, require new developments or changes in use to demonstrate that adequate water rights and sources of water are available that have been approved by the Divisions of Water Rights and Drinking Water.

POLICY 8.3.2: Regulary identify wet water supply concerns with each SSD or water provider.

POLICY 8.3.3: Engage special service districts or other public water providers in development review when applicable.

GOAL 8.4: Maintain the ~~existing~~ green agricultural ~~look~~ appearance of the land without relying on treated culinary water.

POLICY 8.4.1: Where irrigation has been provided in the past, require developments to provide adequate irrigation water rights ~~shall be provided for each lot located within a development to provide the irrigation of for~~ one hundred percent (100%) of the lot not occupied by buildings, driveways, walks, patios etc..

POLICY 8.4.2: Where irrigation has not been provided in the past, prioritize water-wise landscape practices and limited development densities.

POLICY 8.4.3: Require new developments to provide pressurized irrigation systems instead of using culinary sources for outdoor watering.

POLICY 8.4.4: Protect the Heber Valley Special Service District's wastewater treatment facility.

GOAL 8.5: Conserve water throughout the County.

POLICY 8.5.1: Partner with municipalities and special service districts to enforce conservation measures like secondary water metering, expanding secondary water connections, and watering schedules.

POLICY 8.5.2: Consider a code amendment to include operation limits that restrict the hours for irrigation for residential, commercial, industrial, or institutional uses.

POLICY 8.5.3: Encourage sustainable landscape design by prioritizing water-wise practices that reduce reliance on turf grass and overhead spray irrigation.

POLICY 8.5.4: Discourage the use of turfgrass in non-functional areas such as narrow strips or ornamental zones except where turf serves a recreational or playfield purpose.

POLICY 8.5.5: Educate residents on water rebates and services available through the Central Utah Water Conservancy District and other local programs, recommended watering schedules, drought information and relevant drought response.

POLICY 8.5.6: Coordinate with County departments and special service districts to identify gaps in water efficiency or waste in parks and public service buildings and properties.

POLICY 8.5.7: Support agricultural irrigation efficiency projects, similar to the Wasatch County Water Efficiency Project to reduce waste in agricultural lands.

Chapter 9 – Economic Development

- Incorporate Jordanelle Area Plan and focus of recreation/commercial tax base focus.
- Address local business needs
 - Little desire to accommodate large corporate entities
 - Acknowledge higher prices and less convenience
 - Workforce availability constraints
- The need for industrial sites to reduce local costs of materials
- Impacts of tourism on residential community character
- The positive impacts on tourism in the community (employment and recreation)
- Address the value that the community places on preserving agriculture
- Address the desire to improve and support the existing businesses rather than encouraging new development. New development also creates additional nuisances and reduces open space

Goals and Policies

Vision: *Economic activity in Wasatch County will primarily occur in the incorporated municipalities and the Jordanelle Basin. Commercial activity in identified centers will provide employment opportunities for local residents, reduce residential property tax burdens, and respect and augment existing agricultural activities.*

GOAL 9.1: Support the tourism economy through the development of recreational opportunities in key locations.

POLICY 9.1.1: Utilize the countywide trails system to support the tourism industry and connect to commercial centers, open spaces and other areas of interest.

POLICY 9.1.2: Promote recreational opportunities that increase the length of time visitors spend in the county.

POLICY 9.1.3: Approval of resorts or short-term housing that provide overnight accommodations should be limited to areas that are associated with destination recreation activity.

POLICY 9.1.4: Support existing tourism businesses and explore additional tourism opportunities in the Provo Canyon area.

GOAL 9.2: Promote the development of strategic commercial centers in the Jordanelle Basin and incorporated municipalities to meet the needs of residents, provide employment opportunities, and reduce residential property tax burdens.

POLICY 9.2.1: Implement strict development standards in the Jordanelle Basin to create walkable shopping districts and ensure a comprehensive resort theme.

POLICY 9.2.2: Utilize resort development in the Jordanelle Basin to provide a sustainable tax base and alleviate residential property tax increases.

POLICY 9.2.3: Incentivize the development of commercial businesses in the Jordanelle Basin that will provide services such as grocery stores to the local population.

POLICY 9.2.4: Promote the development and improvement of main streets in cities by discouraging the development of new commercial and industrial areas in unincorporated Wasatch County outside of the Jordanelle Basin.

POLICY 9.2.5: Foster intergovernmental cooperation between local government entities, including the local school district, colleges, and the business community, to meet economic development objectives and to ensure that appropriate locations and services are available.

GOAL 9.3: Promote economic development opportunities that support long-term residency.

POLICY 9.3.1: Expand the opportunities for small home-based businesses or clean cottage-type industries while ensuring they do not adversely impact the community.

POLICY 9.3.2: Support businesses that provide local workforce opportunities without the need to commute.

GOAL 9.4: Support industrial opportunities that directly benefit local needs, such as reducing supply chain costs for local businesses or facilitating reduced housing construction costs.

POLICY 9.4.1: Maintain the existing industrial zoning between 300 south in Midway and the Heber Valley Special Service District's wastewater treatment facility, south of Heber City's existing industrial park, and between Heber City Airport and Daniel Road.

POLICY 9.4.2: Identify appropriate locations for gravel mining and concrete batch plants without impacting the scenic values, air quality, or general peace and quiet of the community.

GOAL 9.5: Ensure that new commercial and industrial development does not create adverse impacts in residential areas, natural areas, recreational areas, or scenic byways.

POLICY 9.5.1: Limit commercial development along SR 113, US 189, US 40 and River Road in the unincorporated area.

POLICY 9.5.2: Evaluate regulations for home occupations to ensure that they do not create nuisances such as noise, smell, parking, and traffic.

POLICY 9.5.3: Identify strategies to reduce the amount of land occupied by commercial uses such as considering adjustments to shared parking regulations and clustering commercially zoned areas.

POLICY 9.5.4: Prohibit industrial or manufacturing activities that would require the development of a pretreatment program by a Special Service District or create adverse impacts of air, ground water, surface water, or background noise.

POLICY 9.5.5: Ensure that in-holdings within the state park and their uses are not changed to allow uses that are detrimental to the park.

GOAL 9.6: Recognize the existing agricultural operations as playing an important role in the rural character of Wasatch County.

POLICY 9.6.1: Create an Agricultural Protection Program in the Development Code, consistent with State Law, to protect agricultural lands and practices from impacts and complaints associated with non-agricultural growth and development on nearby properties.

POLICY 9.6.2: Establish an Agricultural Protection Area Advisory Board, as required by State Law, to recommend appropriate areas to the County legislative body and to assist in identifying and promoting bonafide active agricultural operations in Wasatch County.

POLICY 9.6.3: Utilize the tourism economy to support agricultural operations through mechanisms such as the Value-Added Agriculture program.

POLICY 9.6.4: Encourage commercial and industrial uses that provide local equipment and supplies for the agriculture industry in order to reduce supply-chain expenses and increase the potential for successful local agricultural operations.