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## WASATCH COUNTY PLANNING COMMISSION MINUTES

FEBRUARY 12, 2026

MEETING TIME: 6:00 P.M.  
MEETING PLACE: Wasatch County Administration Bldg., 25 North Main, Heber City, Utah  
COMMISSIONERS PRESENT: Chair Charles Zuercher, Kimberly Cook, Mark Hendricks, Scott Brubaker, Daniel Lyman, Michael Murphy  
EXCUSED: Commissioner David Thacker  
STAFF PRESENT: Doug Smith, Wasatch County Planner; Austin Corry, Assistant Wasatch County Planner; Caden Lyon, Assistant Wasatch County Planner; Jon Woodard, Assistant Wasatch County Attorney  
PRAYER: Commissioner Mark Hendricks  
PLEDGE OF ALLEGIANCE: Led by Commissioner Scott Brubaker and repeated by everyone

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### BUSINESS ITEMS

❖ **APPROVAL OF THE MINUTES FROM THE JANUARY 8, 2026 MEETING**

**Due to the lack of enough members that were in attendance at the January 8, 2026 meeting, the approval of those minutes will be postponed until a later time.**

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### CONSENT AGENDA ITEMS

**ITEM #1 RUSSELL CAMPBELL, REPRESENTING MATT BOWMAN, REQUESTS A PLAT AMENDMENT TO THE TUHAYE DANCING SUN PHASE 3 SUBDIVISION IN ORDER TO AMEND THE BOUNDARY LINE BETWEEN LOT 70 AND OPEN SPACE PARCEL B WITHOUT CHANGING THE TOTAL AREA OF LOT 70 AND OPEN SPACE PARCEL B. LOT 70 IS LOCATED AT 9641 N DANCING SUN CT IN THE RESIDENTIAL AGRICULTURE 1 (RA-1) ZONE. \*IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMISSION ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LAND USE AUTHORITY, AT A PUBLIC HEARING ON FEBRUARY 18, 2026. (DEV-11262; CADEN LYON)**

**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.

- Jon Woodard noted that this plat amendment requires Council approval because of the adjustment to the open space easement that is required to be a legislative approval. Otherwise, the plat amendment would be a minor administrative action.

**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:

- The applicant was not present and no public addressed the Commission for comment.

**MOTION**

**Commissioner Brubaker made a motion approve Item #1 Tuhaye Dancing Sun Phase 3 Lot 70 plat amendment and forward with a positive approval subject to only the condition of the applicant resolving any conditions noted in the DRC report to the satisfaction of the applicable review department and then a plat is recorded within one year.**

**Commissioner Cook seconded the motion.**

**VOTE**            **( 6 TO 0 )**

Charles Zuercher	<b><u>AYE</u></b>	NAY	ABSTAIN	Scott Brubaker	<b><u>AYE</u></b>	NAY	ABSTAIN
Mark Hendricks	<b><u>AYE</u></b>	NAY	ABSTAIN	Michael Murphy	<b><u>AYE</u></b>	NAY	ABSTAIN
Kimberly Cook	<b><u>AYE</u></b>	NAY	ABSTAIN	Daniel Lyman	<b><u>AYE</u></b>	NAY	ABSTAIN

**FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION**

1. Good cause for the plat amendment exists because:
  - a. The proposed plat amendment does not alter the overall density of the development.
  - b. The amendment enhances compliance by allowing Lot 70 to conform more easily with applicable development standards.
  - c. The adjustment improves driveway access for Lot 70 thereby improving the safety and welfare of Wasatch County citizens.
  - d. Improvement of the driveway access preserves the integrity and intended function of the open space area.
  - e. Open space acreage does not change.
2. This proposed revision conforms to the Wasatch County development standards.
3. The Development Review Committee has reviewed the project and provided a favorable recommendation with a condition.

**CONDITIONS**

1. The applicant resolves any conditions noted in the DRC report to the satisfaction of the applicable review department.
2. A plat must be recorded within one year of the approval.

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## REGULAR AGENDA ITEMS

**ITEM #2      ORDINANCE 26-03 AMENDING CHAPTER 16.21.18 ENTITLED "NON-MOTORIZED TRAILS" ADDING REGULATIONS ON BACK COUNTRY TRAIL STANDARDS AND THEIR CONSTRUCTION. *\*IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMISSION ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LEGISLATIVE BODY, AT A PUBLIC HEARING ON FEBRUARY 18, 2026. (DOUG SMITH)***

**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:

- No public comment was given.

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

- Commissioner Hendricks asked about how easements are being handled. The Commission discussed the potential of getting public easements locked in better on as-built conditions.
- Commissioner Murphy asked about the trail design and who the professional would be. He also asked about hiking trails vs. mountain biking.
- Commissioner Hendricks asked about not just having design standards, but also who is responsible for the design. He also recommended adding in consequences for remediation if the trail is cut in and it doesn't meet the standards.
- The Commission discussed bonding or other triggers that could be used to ensure it is built right, as-builts are obtained, and easements are recorded.
- Commissioner Murphy asked for clarification on the budget allocation this would require and noted he would encourage the county to be scrutinous of the amount of funds and encourage volunteer efforts where possible.

### **MOTION**

**Commissioner Lyman made a motion to forward the ordinance 26-03 to the County Council with the findings in the staff report and a recommendation to approve the updated language.**

**Commissioner Brubaker seconded the motion.**

### **VOTE            ( 6 TO 0 )**

Charles Zuercher	<b><u>AYE</u></b>	NAY	ABSTAIN	Scott Brubaker	<b><u>AYE</u></b>	NAY	ABSTAIN
Mark Hendricks	<b><u>AYE</u></b>	NAY	ABSTAIN	Michael Murphy	<b><u>AYE</u></b>	NAY	ABSTAIN
Kimberly Cook	<b><u>AYE</u></b>	NAY	ABSTAIN	Daniel Lyman	<b><u>AYE</u></b>	NAY	ABSTAIN

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**ITEM #3      ORDINANCE 26-04 AMENDING CHAPTER 16.33.11 REGARDING DRIVEWAY SETBACKS FROM PROPERTY LINES AND CLARIFYING LANGUAGE FOR DRIVEWAY SETBACKS ON CORNER LOTS. *\*IF FORWARDED,***

**THE RECOMMENDATION BY THE PLANNING COMMISSION ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LEGISLATIVE BODY, AT A PUBLIC HEARING ON FEBRUARY 18, 2026. (DOUG SMITH)**

**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:

- Mike Kosakowski, Jordanelle resident, stated the current law has been in place for 20 years and isn't being enforced. There should be more discussion. Crosswalks haven't been considered. Federal highways hasn't been consulted, but their standards for intersections are much larger than 40 feet.
- Commissioner Hendricks asked Mr. Kosakowski to offer suggestions of how he would improve it. Mr. Kosakowski stated there should be effort made to research in depth the real impacts of this code change. Doug Smith replied that this is intended to clarify how it's being interpreted.
- Jon Woodard noted an advisory opinion request is in the with the Property Rights Ombudsman regarding the issue of this interpretation.

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

- Commissioner Murphy asked if there would be an instance of a lot being platted that couldn't comply with the setback distance.

**MOTION**

**Commissioner Brubaker made a motion to forward a recommendation for approval of Ordinance 26-04 with the associated findings.**

**Commissioner Lyman seconded the motion.**

**VOTE ( 6 TO 0 )**

Charles Zuercher	<b>AYE</b>	NAY	ABSTAIN	Scott Brubaker	<b>AYE</b>	NAY	ABSTAIN
Mark Hendricks	<b>AYE</b>	NAY	ABSTAIN	Michael Murphy	<b>AYE</b>	NAY	ABSTAIN
Kimberly Cook	<b>AYE</b>	NAY	ABSTAIN	Daniel Lyman	<b>AYE</b>	NAY	ABSTAIN

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**ITEM #4 FOLLOW-UP FROM PREVIOUS GENERAL PLAN LAND USE SCENARIO DISCUSSION. \*NOTE THAT THIS DISCUSSION ITEM WILL ALSO BE INCLUDED ON THE COUNTY COUNCIL AGENDA FOR FEBRUARY 18, 2026 AT 4:00 P.M. SEE COUNTY COUNCIL AGENDA FOR FURTHER DETAILS. (AUSTIN CORRY)**

**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.

- Austin Corry gave a presentation to the Planning Commission

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

- Commissioner Murphy asked about how we are protecting agricultural operations.

- Overall, high level policy themes were discussed.
- 13 planning areas reduced to 6
- Commissioner Lyman asked about maintaining property rights and how that fits in with the various scenarios.
- The three scenarios recommended by the advisory committees were discussed.
- Commissioner Lyman does not like the idea that someone has a right to anything. A property owner needs to go through an entitlement process to have the right to develop their property.
- Concerns were raised about the legislature and their pro-growth position.
- Commissioner Lyman stated that we cannot remove density from the City core. We cannot compete with the City and create our own mixed-use high-density areas outside the City core.
- Commissioner Lyman: 2000 units is not in the goals and policies so don't go there.
- Commissioner Brubaker: I wish there was a practical answer to this.
- Commissioner Lyman: transitioning from the urban cores as best we can with density. Allow density closer to Heber City with urban services. Density reduces out from the center. The 2000 units gets put in the core or high density adjacent to the core. Higher density along the Heber boundary to not incentivize annexation. Commissioner Hendricks agreed.
- Commissioner Hendricks feels like the north fields is the heart of the valley. The general plan should reflect our love of the north fields.
- Commissioner Lyman: The option should only reflect the goals and policies not the housing unit numbers. The transition to 1-acre lots should happen quicker as you move away from the Heber City boundary. Transition to 1-acre and 5-acre lots quicker. 5-acre lots at 3600 east. 1/3, 1/2, 1-acre, 5-acre lots.
- Commissioner Murphy likes the scenario E map.

**The general consensus of the Planning Commission was that scenario E be used with the feathering (transitioning) as mentioned by Commissioner Lyman and preserve the north fields.**

**ADJOURNMENT**

**MOTION**

**Commissioner Zuercher made a motion to adjourn.  
Commissioner Lyman seconded the motion.**

**VOTE ( 6 TO 0 )**

Charles Zuercher	<b><u>AYE</u></b>	NAY	ABSTAIN	Scott Brubaker	<b><u>AYE</u></b>	NAY	ABSTAIN
Mark Hendricks	<b><u>AYE</u></b>	NAY	ABSTAIN	Michael Murphy	<b><u>AYE</u></b>	NAY	ABSTAIN
Kimberly Cook	<b><u>AYE</u></b>	NAY	ABSTAIN	Daniel Lyman	<b><u>AYE</u></b>	NAY	ABSTAIN

Meeting adjourned at 9:00 p.m.

  
 CHARLES ZUERCHER/CHAIRMAN