

Minutes for the
Daggett County Planning & Zoning
Public hearing & Meeting
April 15, 2015 6:00 PM

Members present: Woody Bair, Chair; Chad Reed, Stew Leith.

Members absent: Al Ladeau, Ryan Morgan, Brian Smith; alternate,

Guest present: Jack Lytle; Commissioner, Carrie Poulsen; secretary, Bryan Smith of Rocky Ridge Outpost, Yvonne Long , Jerry Taylor representing Wounded Warriors.

Woody Bair welcomed everybody and called the Public Hearing to order at 6:00 PM. The Public Hearing is to obtain comments regarding enacting an ordinance for the purpose of regulating the placement and appearance of any and all enclosed storage container, cargo container, shipping crate, box or similar moveable piece of equipment or object to be used as an accessory building. Whereas. It is the intention of Daggett County to improve and maintain property values and aesthetics of the county in accordance with its Master Plan. Woody asked the guest if they were present for the public meeting. Jerry Taylor stated that they are looking at using a container to possibly house a bathroom and laundry facility for the Wounded Warrior project. Jerry provided some information on what the company is marketing. They modify them for meeting rooms, living quarters, bathrooms and various things. They come in 10, 20 and 40 foot length containers. He wasn't sure of the width but thought 10 feet. Jerry stated that the company modifies them and ships them to you ready to use. Jerry stated they are looking at using a 40 foot container with 3 bathrooms and a utility room with a washer and dryer in it. Mr. Leith asked where this container was going and Mr. Taylor stated it would be going over on his property on Linwood Lane for the Wounded Warrior project. Mr. Reed stated that this public hearing just happens to be taking place as Mr. Taylor is presenting his proposal for the Wounded Warrior project. Woody asked for public information that the ordinance that the board wants to adopt be read.

1. **Enclosed storage containers larger than one hundred twenty (120) square feet of floor space shall be regulated as any other building or structure.**
2. **Storage container fabricated for the purpose of transporting freight or goods on a truck, railroad or ship shall be allowed to be set up as a residential storage structure or accessory building.**
3. **Purchasers, owners or users of enclosed storage containers subject to regulation, shall obtain a building permit for each container from Daggett County prior to placing or moving the container onto their property.**
4. **Placement of the enclosed container shall meet all setback and hold-down requirements for the zone in which it will be located.**
5. **The exterior of the enclosed container shall be painted or altered to cover any advertising, lettering or numbers.**
6. **No stacking of containers shall be allowed.**
7. **Shall be located at ground level for safety. If located on a permanent foundation, must meet all building code requirements.**

- 8. Structure shall not be used as a dwelling unit.**
- 9. Each accessory building shall provide adequate ventilation for personal safety.**
- 10. Any violation of this ordinance shall be punishable as set forth in the building code.**

Woody said this is the board's proposal. Discussion took place of examples in other counties of how unsightly they can be. Woody asked for any comments or questions. Bryan Smith questioned if they were put on a permanent foundation is the board going to limit other options, can they just be placed in the dirt. Woody stated yes they can be placed in the dirt at ground level, not on stilts or stacked. Mr. Lytle commented that if they did stack them that whatever you do on the outside it not look like a container. Mr. Taylor asked if somebody wanted to stack them would they be required to get a variance if the board had control through the ordinance. Woody Bair stated that he feels it would be more applicable if it went through the building permit process so if it was larger than 120 square feet with 2 stacked would be then yes. Mr. Reed stated that the board would have some oversight in addressing and would be reviewed and with a variance would allow some input of surrounding neighbors. Woody asked for other questions. Mrs. Long asked if the board had spoken with the building inspector. Woody said formerly he has not, Mr. Reed has not. Carrie Poulsen said she had and Matt Tate, the building inspector said that he said more people want to use them and he does not see a problem with them but would be a good idea to have some sort of ordinance to make them uniform. Mr. Reed asked if the Town of Manila had an ordinance regarding shipping containers. Mrs. Long said she didn't know and asked about the residents that already have these types of containers. Woody stated that the residents that have existing ones are grandfathered in. Woody stated that the objection of this ordinance is to have some uniformity to them, require them to meet setbacks and get a building permit. Yvonne asked if these are taxed. Carrie stated she thought Lesa Asay; the assessor had said they are not taxable. Carrie will find out for sure from Lesa if they are taxable and to find out if there is a current ordinance in the Town of Manila. Bryan Smith commented on the units that Jerry Taylor wants to bring in for the Wounded Warrior project. He said they are very clean and professional. It will set a nice precedence as to what the county is expecting. Chad Reed said he would like to know from Lesa Asay's prospective what kind of value these add to the property. Mr. Taylor said the company he wants to obtain a container from has already painted them and refinished the inside. Woody asked if the company provided any sort of tie downs and Mr. Taylor said they do provide an anchoring system. Mr. Taylor said the costs on these are running about \$2500 to \$3000 depending on the condition, but that is just the container with no modifications. Woody asked for any other comments or questions. Chad Reed motioned to go out of public hearing. Stew Leith seconded. All in favor, motion passed. Regular meeting now in session at 6:17 P.M.

Item 2: Approval of minutes: March 18, 2015. Woody asked the board if they have reviewed the minutes. Stew made a motion to approve the minutes as written. Woody seconded. All in favor, motions passed. Chad Reed abstained as he was not present at the March 18, 2015.

Item 3: Bryan & Jerilynn Smith: Consideration & Discussion regarding Yurts at Rocky Ridge Outpost. Is a conditional use permit necessary? Bryan Smith stated first and foremost this might benefit Mr. Taylor as well as he also might use Yurts for the Wounded Warrior project. He stated that the use of yurts is

becoming more and more popular and they would like to try a Yurt at Rocky Ridge Outpost. He said they have a 2 year plan and would like to install one this year and one next year. Mr. Leith asked if they would have any facilities in them. Bryan stated they will not have any facilities, more of a glorified tent with sleeping facilities. He said there will be an outhouse next to it and they already have a shower house and restroom facility on the property. Bryan said because of the distance between the yurt and the restroom they want to put outhouses next to the yurt. Mr. Reed asked if the outhouses will be the portable ones and Bryan said yes. Bryan said the question they have is they already have a conditional use permit for this sort of thing and have been granted to add four additional camp cabins. He questions if a yurt will require one. Woody said one of the reasons he wanted Bryan to attend tonight to have continued discussion on a definition of what a Yurt is and how it falls into the zoning. Bryan said the Conditional Use Permit is not an issue to him but there is the issue of how does a Yurt fit into planning and zoning. How will it be taxed for instance? Mr. Reed said another is the long term of these, what if somebody wants to live in one. Carrie said she spoke with Matt Tate, Building inspector and he said the board should consider a yurt as a temporary structure but they still have to meet all zoning ordinances. Mr. Taylor showed his proposal for the Wounded Warrior project which could be wall type tents and one main yurt in the middle. Mr. Taylor said the concept of this camp is if it needs to go away it will, there will not be any permanent buildings that will impact the land, but they are talking about using this camp year round. Mr. Smith said the company he is getting his Yurt from offers different packages that offer different snow load and wind options. Bryan said the one he is ordering will be upgraded to 100 mph wind and 38 pound snow load. He stated that he has already met with the building inspector so he could be ahead of the game as far as meeting county code. Woody thanked Bryan for his presentation about Yurts. Woody asked for any questions and discussion. Chad asked about the need for conditional use permit? Woody said we need to come up with a definition of what a Yurt is. Is it a single family dwelling, seasonal home, similar to a cabin or whatever else it could be? Chad asked Bryan if he is looking at putting this yurt in soon and he said yes, for this season. Bryan would like permission to move ahead and he does not have a problem with the conditional use permit, knowing that the board still having to establish how to handle yurts. Stew Leith asked is the board could approve the conditional use permit to put this in place pending the board's certification of any rules to follow. Woody said he is comfortable with this but to be aware that somebody may come forward next month with the same issue and we need to feel comfortable with that. Jack said to him a yurt is no more than an ornate tent, depending on how you want to look at them or what you do to them. Jack stated that since this is for commercial use there is something to pay attention to there as far as inspections and meeting code. Jack said unless you put electricity in them or more than a wood or gas stove, and it needs to be fire retardant. Chad said the biggest issue to him is are we eventually going to allow people to live in one full time? Stew Leith does not feel they could ever be considered a full time dwelling without having facilities in them. Carrie said it would also have to meet the minimum square footage to be a dwelling, which is 800 square feet. Chad feels if yurts become more prevalent we would have a public health issue which would need to be addressed. Woody asked if the board wanted to make a motion on line item 4 or do them line by line. Chad feels that the board needs to act on each item separately. Stew Leith made a motion to accept Bryan Smiths proposal to install a Yurt at Rocky Ridge Outpost with a conditional use permit. Woody made a suggestion on the motion to define yurt as a seasonal dwelling or cabin. The board asked that something be put on the building permit that it is a

temporary structure. Woody said if it is defined as a seasonal home or temporary structure then under A20 zone then a conditional use permit would not be needed. Chad is not comfortable classifying this under seasonal home or dwelling. Jack stated that a yurt is nonconforming within our current ordinances and a conditional use permit would be applicable until it is defined. Motion stands to approve the application by Bryan Smith to install a Yurt at Rocky Ridge Outpost with a conditional use permit. Seconded by Chad Reed, all in favor, motion passed. The board had one more comment regarding Yurts and that is if any precedence has been set that they will be for commercial use and any will require a conditional use permit.

Item 4: Jerry Taylor: Hand in Hand Outdoors, A Place to Heal. Consideration and discussion regarding Yurts and shipping containers fitted with facilities for America's disabled Veterans. Jerry explained what they would like to do on the property on Linwood Lane known as the old pallet factory. They are looking at putting in a camp for wounded veterans. He explained about the boat that they are bringing in for Wounded Warriors and Hand in Hand and will be arriving on May 14, 2015 and there will be a program at Manila High School for the community. One of the aspects of Wounded Warriors is it is a 911 forward program so the Vets that are taken care of are from 9/11 forward. But Hand in Hand finally got permission to handle both their warriors, other warriors and V.A. warriors. Jerry explained more on how Hand in Hand and Wounded Warriors works. He explained that the vets will be accompanied by VA employees. He said there will also be Vets coming from Australia and England and that American Vets will be going there to these types of facilities. The camp comes from the fact that these vets need a place to transition into the area to take advantage of the activities that are here. He also explained that there is another facility located in Jackson, Wy and they will be coordinating with that program. The camp is designed to take the vet, bring him in, house them overnight, send them out on the boat the next day for a day of fishing, comes back to the camp then transitions out the next day. The other things they will provide are other activities if they stay longer. They also hope to work with a hunting program that comes to McKinnon, Wy. Jerry stated that the program also takes care of handicapped children. Over the last 2 years this program has provided services for over 2000 people so this is an extension of an ongoing program. Stew asked how many places they are putting in to start with. Jerry Taylor stated that the concept is to have no impact to the land. Basically they are looking at putting in a 30 foot Yurt in the middle that has the cooking, dining room and meeting area on a deck. And then there will be 8 smaller Yurts around the 30' Yurt. The other thing is they are not looking at just Yurts they may use Hard Wall tents so it could be a combination of the two styles. What Steve Henline did is he put together some samples of things they are looking at, presented the sample to the board. Stew asked where the restrooms and showers will be. Chad asked about the septic system. Jerry said that they have an application in to Tri County and they are having a perk test April 16, 2015. Dustin Larsen is digging the hole and Gary Pallesen is doing the perk test and all of that is donated. Jerry said the only thing they need approval for is the sewer system and the water system is in place. Stew asked about the building that is currently on the property. Jerry said the building will still be utilized the same as what they have been doing. He said it does have an apartment in it and has all facilities hooked up and they are going to allow some of the staff from Hands in Hands to utilize the apartment and the upper rooms. Jerry stated they had met with the County and has asked for some possible fill dirt and improving the road to an all weather road and the parking lot. Jerry stated that if the camp leaves the only thing left

would be the road improvement and the new septic. Jerry said he is meeting with Bridger Valley Electric and they are talking about helping also. Chad asked if they are going to go off what power meter is there. Jerry said no they are putting in a separate meter and transformer off one of the poles and then run an underground line. Jerry said they will also have to tap into the water and run a line down for water. Stew asked if there was enough water and Jerry stated there was. Chad said there is water that could be developed and Jerry said it is artisan water. Jack Lytle asked how many people are on the current system. Jerry said right now there are 4 hooked up. Chad said the line that goes to the very end they put a bigger line in a few years ago. Jerry said the only additional use added onto the system is Jerry Steglich's two shops and his two residences. He said the other two residences out there recently, which is the Wilsons and they are hooked into the county water and they do not know what the other cabin, the one between Wilsons and Steglich's, does for water. Jerry thought another alternative for water is to tap into the line from Wilson's. Woody asked for discussion. Stew stated there this is no decision to be made tonight and Jerry Taylor stated that they would like to have this up and functioning by July 4, 2015. Woody said asked if there was a complete application and Carrie stated that they brought in a building permit application but there are issues with the water and sewer. Jerry stated that they are executing getting the sewer and he feels that the water and power is there and all he needs to do is get approval from Tri County. Chad asked if the application would be complete then, and Carrie said that would be based on the board's decision. Stew asked if they would need to get a conditional use permit. Chad said we would have to put a conditional use permit under the existing zone which is MG, which is General Industrial which is different than commercial. Woody read from page 48 in the county ordinances and under the zone MG this use is not allowed. Woody asked on the follow up we need to have some sort of long term answers on definitions for tents, yurts, teepees etc. Jerry Taylor asked what that meant and Woody stated it would need a variance or re-zone if he wasn't going to use the current building for manufacturing. Jerry said he has not been used for manufacturing for years. Jack Lytle stated that would support his request for re-zone. The board is more in favor of the re-zone. Jerry stated that the building has been storage for them. Woody said to move this discussion on the hearing to line item 12 for next agenda. Woody asked for any other discussion on line item 4. Jerry asked if he could continue with the process, he would like to have the perk test and Woody said yes. Chad said to complete the application he needs the perk test done anyway. Carrie asked Jack Lytle if the County will cover the cost of publication for the re-zone post. Jack said he will ask at the next meeting. Jerry stated that he will have the director attend the public hearing. Chad asked who has the water right now and Jerry Taylor said Jerry Steglich had filed but thought he was out of compliance. Jack said there is an issue if the water could handle any more use or not. Jack said Jerry Taylor may have some meeting to do among the other residents regarding the water issue. Chad said he wasn't sure how that would be determined and Woody said normally if it is from the county perspective there would be a letter from the county or Dutch John that says if there is enough water. Woody said we would need something in writing stating there is enough fire suppression and usage water. Jerry Taylor said there has never been fire suppression there and there will never be. Jack asked where the closest hydrant is and Chad said it is at the county road department building. Woody asked Jerry Taylor to be sure to present a complete application at the next meeting so this project does not get held up.

Item 5: Dave Orr and Thompson Davis: Consideration and Discussion regarding their new sign,

Re-model of c-store, 12 cabins site plan. Also a new metal building at Dutch John Draw and a metal building across from the DNR building. Dave Orr presented a plan of the proposed metal building at Dutch John Draw. It shows where the fence will be, the intersection, the highway, sewer plant. The red line showed the property line and the building location. He did not have a map that showed all the right of ways. Discussion took place regarding the property lines. The building at Dutch John Draw will be 170'x300'. Chad also asked how high it will be and Dave Orr said it will not be more than 35'. The parking will be in front of the building and there will be a gate to access the storage yard. Woody asked if there will be utilities to this building and Dave Orr said yes. Stew asked if they are tearing down the old wash house and they will leave it. Jack asked about the highway easement and Dave stated that it is 75' from the centerline to the corner of the proposed building. He also said at the intersection it is 50'. Woody asked for clarification if it is still RDA and no, they have purchased The Draw. Woody said the only thing he sees is the fence across the drainage. Jack suggested putting flappers on it so if the flush does come it can go through and not tear the fence down. The second building is across from the DNR building on the resort side and he showed a proposed plan of where it will go. They want to move the mechanical facility over to this site. They are going to take the current mechanical building out and put in little commercial shops. This building will be 150'x60'. He said all the facts are on the sheet he presented. Chad asked about the entrance and it will come right off the front which is S. Blvd. Jack asked about the entrance to the building at The Draw and they will use the existing road. Chad asked if they are putting utilities in this building and yes it will have all utilities. There was discussion about the size of water line there; final discussion was the board thought it was a 6" line there. Woody asked for any other questions on this. No other questions. The next item is the new sign. The original variance was to move the original Conoco sign which was 236 square feet. They are asking for approval to have a sign that is 250.25 square feet. Discussion took place regarding the sign design and different sizes. The ordinance only calls for 100 square feet. Jack Lytle had a comment that we do not want to get into a sign war in Dutch John. He also said that any new development that does not have an old sign with it already will have to follow the ordinance, but it is up to the board's discretion. Stew made a motion to approve the new size of 250.25 square feet, Chad seconded the motion. All in favor, motion passed. Discussion regarding the site plan for the 12 cabins. Woody asked if Matt Tate, building inspector was comfortable with the current site plan and Carrie stated that he is not. Discussion on how the road would access the cabins. Chad asked if there would be water to each cabin and Dave Orr stated there would be and the water line is already there. Dave said the electric; water and sewer go all the way around the property. Stew asked if the water line will be big enough for fire suppression, and Dave said yes and the fire hydrants are already in place. He said they need to be within 150 feet and they are within 121 feet. Chad asked if the hydrants have enough flow. And he said the board will need to know for sure, Woody asked Jack who would supply that for sure. Civco is drawing up the engineered plans and may need a sign off from them. Chad asked if the hydrants have enough flow. And he said the board will need to know for sure, Woody asked Jack who would supply that for sure. Civco is drawing up the engineered plans and may need a sign off from them. Jack said Uintah Engineering is designing the new water treatment plant in Dutch John. Thompson said Uintah surveyed it last time, and they looked at the fire hydrants and told them that they were adequate for the first plan. The board would like this in writing. Dave said they would have John Morton write a letter and sign off on the hydrants. There was discussion regarding the size of lines there. There are a 6", a 10" and a 2" line. The board says the

10" is the fire line. Woody asked if this was an action item and it is just discussion. Chad stated that the site plan needs to be completed, sign off on the water, asked if we needed to sign off on sewer. Asked if this property is still RDA and it is until they finish their acquisition. Woody asked Jack if this needs to be signed off by RDA, Jack said no; RDA is just the land owner, treat it as if it were private land. Jack said the sewer, same as the water will be bill on how the connections are split out, Dave said he thought it was 4 to one, and we will need some documentation on that. It can either be Jesse or Matt Tate to clarify or confirm. Dave said once the Occupancy permit is issued then the county starts billing. Woody asked once there is proper site plan and water documentation how to get approval from the board. Jack said if a need arises it can go to the Commissioners. There was discussion regarding the letter sent to Thompson Davis from Neil Lund, County Attorney. He sent a copy of the Daggett County Ordinance 99-10 regarding site planning requirements for Dutch John. Dave and Thompson think that once Matt Tate reviews the plans Carrie can issue the permit, but it also needs to be reviewed by the Planning & Zoning board. Woody would like the board to take a moment to review the letter and ordinance that Neil sent. After review Woody asked if the engineer was going to include the 2 foot intervals, Dave Orr said yes. Thompson said on the original site plan they had triplexes but decided to go with these individual units. He said the original plan had everything laid out as far as topography is concerned. Woody asked for further discussion. Woody suggested options on getting the site plan approved, getting a pdf version and emailing it to the board, have a special session or wait until the next formal meeting. The board feels that a PDF version and have it emailed to them will suffice. Chad Reed felt that section 8 does require the site plan to be reviewed since they have modified from the original plan previously submitted. Dave Orr said the site plan should be ready by Monday April 20, 2015. Thompson said if you read the letter from Neil Lund it basically states that the county needs something more than the Google map presented but that we wouldn't expect them to be by the letter of the law per say since they weren't told what was required in a site plan originally. The board said that they will reply back within 3 days of receiving the site plan. Chad Reed made a motion that after receiving the site plan, reviewing it for 3 days and with documentation of water, the board will make a decision and email Carrie back and copy Woody in all emails. There was further discussion regarding the fire hydrants in the area, Jack Lytle thought they were going to put in another fire hydrant. Dave Orr said they put one in the center. Motion stands, Stew Leith seconded. All in favor, motion passed.

Item 6: Harriet Dickerson: Consideration and Discussion of allowing her to sell snow cones within the R-1 zone of Dutch John. Woody said based on Carries recommendation that this was permitted in this zone. Woody just wanted this on the agenda for review. Carrie said this is permitted under home occupation. Carrie had spoken with Harriet and she said what she plans on doing is that she has a permit through the Forest Service and going to the campgrounds and she may sell some out of her home. She won't have any equipment outside, no snow cone shack or anything like that. Carrie also stated that she did apply for a business license. Woody asked where this ordinance is in the book. Carrie said she is in Dutch John and the zone is R-1. The definition under home occupation, page 24 of the Dutch John Ordinance is rather loose and does not specify what business. Woody asked if she would need a Conditional Use permit and she does not because under R-1 home occupation is permitted. Chad Reed motioned to approve Mrs. Dickerson's snow cone business. Stew Leith seconded, all in favor, motion passed.

Item 7: Consideration and discussion of new ordinance for shipping containers. Woody asked if the board was comfortable with the wording presented at the public hearing. Chad asked if it says anything about if the containers are temporary or long term. Woody didn't think the board needed to make that determination. Chad asked if there was a difference to Lesa, the county assessor, if there is a difference if it is permanent or temporary for tax purposes. Woody said lets relate this to a Tuff Shed, they could be considered temporary. Carrie asked if the board wanted to change the wording on the square footage as now you have to get a permit if something is over 200 square feet and this says if it's over 120 square feet. There was discussion if it is smaller than 120 square is it really an impingement on neighbors and the board felt that it wouldn't be. The board is comfortable with the 120 square foot requirement and the rest of the verbiage. Stew Leith made a motion to adopt all 10 line items of the shipping container ordinance, Chad Reed Seconded. All in favor, motion passed. Motion restated as a recommendation to County Commissioners, Chad Reed seconded. All in favor, Motion passed.

Item 8: Building permit report: Nothing has changed on the report as Matt has not been to Daggett County for 2 weeks. Carrie asked Matt when he is going to get some of these older permits up to date as far as inspections and he said he will start trying to get to them as he comes over.

Item 9: Follow up: Lucas map, 5 acre parcel. The Draw and Lucas Ordinance 15-05 updated 600' commercial corridor public hearing and County Commissioners decision. Updated Dutch John zone map. Woody is comfortable with the new Dutch John zone map. He said the only thing next he feels the board needs to tackle is the light industrial. Woody asked Jack what the commissioners would like the Planning & Zoning board to work on. Chad mentioned the forest service property going into the runway in Dutch John. Jack did not think Planning & Zoning needed to do anything at this time, but Woody wanted to know if we needed to do anything within the next 8 months. There was discussion on the 40 acres that Matt Lucas wants to purchase. Since it is 40 acres and it is zoned MU40 there should not be a problem. Woody said he would like the wording of low density housing cleaned up in the Dutch John Ordinance. There was discussion as to how that should be worded. Jack said leave it right now unless Dutch John comes forward to clean it up. Jack noticed that the hospital is not zoned correct on the Dutch John map. Carrie will have Kym Slagowski update the Dutch John map reflecting that. Woody said the other consideration on the letter from Neil and he meant to say it earlier to Dave Orr and Thompson Davis that the board will follow the ordinance regarding requirements on site plans.

Woody said the next follow up is to check that commercial piece that is in light industrial, make sure it gets changed on the Dutch John map. See what the blue part means by the airport and what is it zoned, is it federal? Woody asked Jack if these two things get updated there would not be anything outstanding on the Dutch John map unless the County wanted something rezoned on the light industrial. Jack said it is not the Counties intent to make any more changes in the plan unless it is promoted or provoked by the community.

Item 10: Ordinance Review: Start at Section 505 Article V and through as time permits. Stew Leith motioned to table until next meeting. Chad seconded. All in favor, motion passed.

Item 11: Goals; Alternate board member. Talk to Al and Chad to make sure they have the correct version of ordinances. Woody said he spoke with Morris Carroll also Casey Francin and Jenny Francin. Both said they submitted applications 6 months ago and never heard back. They both live in Dutch John so now they will probably be on that board. Carrie Poulsen said she never saw an application. The board will continue to try to find an alternate board member.

Item 12: Items for next agenda: Woody said just the follow up as stated throughout the minutes.

Meeting adjourned at 9:00 PM. Reconvened to set next meeting. Scheduled next meeting for May 27, 2015 at 6:00 PM at the Daggett County Courthouse. Meeting adjourned at 9:05 PM.