

## **Sanpete County Planning Commission Meeting**

August 10, 2011, 6:30 P.M.

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

Present are: Planning Commission Chair Gene Jacobson, Steve Anderson, Thell Stewart, Mary Anderson, Leon Day, Darwin Jensen, Joseph Nielsen, Sanpete County Zoning Administrator Scott Olsen, and Sanpete County Clerk Sandy Neill. (Garth Sorenson is excused.) Commissioner Steve Frischknecht and Eric Probasco from the media are also present.

Meeting is called to order by Chair Gene Jacobson. He welcomes two new planning commission members: Darwin Jensen and Joseph Nielsen.

**CHRIS R. RUSSO: REQUEST FOR FINAL APPROVAL OF A 1-LOT MAJOR SUBDIVISION, KNOWN AS SUNDOWNER WEST SUBDIVISION, LOCATED SOUTH EAST OF MT. PLEASANT, JUST SOUTH OF THE PINE CREEK RANCH SUBDIVISION ENTRANCE IN THE A ZONE ON S 26963X7**

Chris Russo is present. Everything is in place, except the power is not on site. A contract has been made with Rocky Mountain Power. Rocky Mtn have staked the property, and the installation is in the process of being scheduled. Motion is made by Leon Day to approve the Sundowner West Subdivision on S 26963x7. The motion is seconded by Thell Stewart, and the motion passes.

**IRELL DESPAIN: REQUEST APPROVAL FOR A CONDITIONAL USE PERMIT TO INSTALL 30 SOLAR PANELS ON A HILL BEHIND HIS HOME LOCATED EAST OF MORONI ALONG HWY 116 ON 2.45 ACRES IN THE A-ZONE ON S 25360X**

Irell Despain is present. His property has a hill that will be ideal for placing these panels. They will be able to be seen from Highway 116. He will make sure that there will be no reflection that causes safety concerns with traffic. Mr. Despain's son is certified in solar panel installation, and will be installing these. Currently there is a 40% tax credit for installing the panels. Pam Anderson asks if there is danger from fire as these heat up. Mr. Despain states that they generate better if they are kept a little cooler, and that's why he is installing them on the ground instead of on top of the house. Motion is made by Steve Anderson to approve the conditional use permit to install solar panels with the condition that if there is a reflection to the highway, it is taken care of. The motion is seconded by Mary Anderson, and the motion passes.

**JOHN & SHARRON LAMONT: REQUEST APPROVAL OF A 1-LOT MINOR SUBDIVISION, LOCATED ON PIGEON HOLLOW RD, 3 MILES SOUTH OF SPRING CITY WITH 12.36 ACRES IN THE A-ZONE ON S 27364**

Warren Davidson is present in behalf of the Lamonts. This subdivision fronts the Pigeon Hollow road. The well has been drilled, and the septic permit has been issued. Motion is made by Leon Day to approve this 1-lot minor subdivision on S 27364. The motion is seconded by Thell Stewart, and the motion passes.

**VERIZON WIRELESS: REQUEST APPROVAL FOR A CONDITIONAL USE PERMIT TO INSTALL A 100 FT. TALL MONOPOLE WITH ANTENNAS AND EQUIPMENT SHELTER IN A 50' X 50' FENCED COMPOUND. LOCATED ON THE SOUTHEAST CORNER OF THE SANPETE DIESEL PROPERTY WITH 2.0 ACRES JUST SOUTH OF MANTI IN THE BC-ZONE ON S 7080x3**

This property is located just south of Manti City, in their buffer zone. Manti City has given their approval. Pete Simmons with Verizon is present. Verizon is looking to install a 100 ft monopole with twelve 8 ft antennas, an equipment shelter with back up batteries and a back up generator. The batteries and generator will provide an emergency backup if power is lost to the site. All facilities are being upgraded to bring in fiber optics to meet the needs of the surrounding areas. The monopole tower is not as wide as the lattice-type towers. Anything above 199 ft would require lighting. Other carriers will be allowed to use this tower, also. This tower could cover a distance of up to 45 miles. Motion is made by Thell Stewart to approve a conditional use permit for Verizon wireless to install a 100 foot tall monopole and equipment shelter. The motion is seconded by Darwin Jensen, and the motion passes.

**CONTINUED DISCUSSION OF DWELLING SIZE REQUIREMENTS (CODE 14-76-100)**

Chris Jaussi and Matt Nielson are present. Mr. Jaussi builds small houses that are 24 x 24' (586 square feet). People in Sanpete have expressed a desire to have these houses built for them to use. Current County zoning does not allow this. The planning commissioners explain that if we reduce the requirement for dwellings to this size, we would end up with old mobile homes, or storage containers. Matt Nielson asks if there is another way to address keeping these undesired building out of the County. There is not a regulation on how big the home can be, but there is on how small is too small. Could smaller homes be allowed by variance? There would be a problem with discrimination. Could these be made into apartments? If built in city limits, the city zoning determines how large a home needs to be. Quality issue may be answered by the energy code requirements. Will smaller homes devalue the surrounding homes? Steve Anderson recommends that the planning commission members check out the homes that they are building, and address this issue again next month. These homes may fit with city's affordable housing requirements.

**CONTINUED DISCUSSION OF CHANGES TO 1-LOT MAJOR SUBDIVISIONS PRESENTED BY LEON DAY**

Leon Day asks if the requirements could be changed so that if an original parcel is eligible for 4 or less one lot minor subdivisions, we could allow the second, third and fourth minor subdivisions to be created, and not require a major subdivision just because it is the second subdivision on a parcel of land. After the allowed number of lots are created, then major subdivision requirement would need to be met. Scott Olsen tells of two three lot minor subdivisions that were created. They met the current requirements, but they really should've been required to make road improvements. The County ended up with six lots with a very narrow road. We need to make sure the road requirements are met. Not just the right of way, but improved roads. Motion is made by Gene Jacobson to have Leon Day prepare written proposed changes based on the code and this discussion to be reviewed at a future meeting. The motion is seconded by Mary Anderson, and the motion passes.

### **DISCUSSION OF STATUS ON SPRING CITY BUFFER ZONE**

Spring City Mayor Eldon Barnes, Spring City council member Pam Anderson, Lynn Farrar, John Stewart, Kimberly Stewart, Dennis Watson, Kaye Watson are present. Mayor Barnes reports that Spring City has held meetings and received input from citizens. They have had one public hearing and will have another one soon. They will go house to house to invite people who live in the proposed buffer zone. Mayor Barnes asks if taxes will increase if the zoning changes. It would be best to have the county assessor address this issue. Property values will increase. Lynn Farrar asks if their use doesn't change, but the zone changes, can the property remain in Greenbelt? As long as the uses still qualify for Greenbelt, that would not change. Kimberly Stewart asks why it would be a problem to create a new zone? It's taken years and years to create the plan that is now in place. If the city were to annex the property, then the 1.06 acres requirement could be met. Dennis Watson asks if they can't go to 1.06 acre lots, what will they do with the property? Lynn Farrar asks if they have to extend and make smaller lots just outside of town, in order to keep their grid for sewer lines, power lines and roads. Steve Anderson asks if it could be required that the road width be required to stay the same as what Spring City already requires. Pam Anderson states that she was told that it would work to allow 1 acre lots as long as the grid used by the city is kept the same. Commissioner Frischknecht states if the city wants to stay with the grid, then a buffer zone should help keep that. Dennis Watson is concerned that eight out of ten of the buildings outside of city limits won't line up with the grid. The planning commission explains that a buffer zone can work as a pre-annexation tool. Mayor Barnes would like the County to work with the City to allow the 1.06 acre requirement or just leave them alone, and not have a buffer zone. The planning commission members explain that there have been problems with things that were allowed in the past, near cities that would not have been allowed if there was a buffer zone to protect the cities. Pam Anderson expresses concerns about a community east of Spring City that is expanding. Could another city annex in Spring City's buffer zone? Lynn Farrar states they don't know what is allowed currently in the property that would be in the buffer zone. Maps are available that show the zoning for all the County. Kimberly Stewart asks if the County could create a greenbelt zone. Greenbelt is already allowed in zones that are 5 acres or more. Scott explains that greenbelt is a taxing, not zoning issue. Kimberly Stewart states that they requested a 5 acre strictly agricultural zone years ago when the development code was being written, and it wasn't included. Steve Anderson states that there are uses that need to be allowed in the agricultural zone in order to meet the agricultural needs. Gene Jacobson wonders if this request is a method to control growth. Agriculture can be defined in many ways, and some of them don't have anything to do with greenbelt. It is not the intent of the planning commission to require that the buffer zone be a 1 acre zone. Justin Bond asks if the area around Spring City is currently in a 5 acre zone. The response is yes. The planning commission would like the city to make a proposal that uses established zones. Dennis Watson asks if they are not interested in annexation, why should they proceed with the buffer zone? The city will have more of a say in what happens in that zone. Mayor Barnes asks about the utilities. Spring City needs to watch their resources carefully. They want to hold their water for those in city limits. The planning commission responds that some cities require 1 acre of water be given to the city to be able to build. It is not mandatory that the city provide the utilities in buffer zones. If the city is not willing to hook someone in the buffer zone up with water, the property owner can then get their own. Pam Anderson noticed some buffer zones have a few zones in them. Could they have smaller lots around the city,

then larger lots around them in the buffer zone? Could the buffer zone be part 1 acre, and then the rest be a 5 acre buffer zone? This would need to be reviewed to see if it is possible. Scott Olsen states that if you want to use a 5 acre zone in the buffer zone, a new zone would need to be created.. Thell Stewart is concerned about the value of property being decreased without compensation. Steve Anderson states that if a new zone is created, permitted and conditional uses would need to be determined. Gene Jacobson states the water is still dictating how much growth can happen. Dennis Watson asks if the city can require that the developer develop for the city. Lynn Farrar states they don't have much water. Kimberly Stewart states the water is a critical issue. The County requires a domestic use water right with 1 acre foot of water. Any new zone creation would require a rewriting of the land use ordinance. Commissioner Frischknecht states without a buffer zone, the historic boundaries would be that, and then there will be helter, skelter development all around. In the current zoning, cluster subdivisions can be built. In the A-5 zone, 4 homes could be built close together in a small portion of a 20 acre lot, with the rest of 20 acres set aside. Pam Anderson asks about business/commercial in a buffer zone. That could be designated as part of the buffer zone. If a developer wanted to put in a major sub in the 5 acre zone, would that currently be allowed? Yes, it could happen now. An advantage of clustering is the remaining space is open space. John Stewart asks if Spring City comes back with no plan, will the County leave them alone? The County will probably adopt a buffer zone, because it is in the best interest of the County.

#### **PRESENTATION AND DISCUSSION ON TRANSMISSION LINE POWER CORRIDORS**

Scott shows a map with 3 proposals for power lines that would pass over the County, but the power would not be used for our County. There would be a 250' wide easement area under the lines, and the property would not be usable. Thell Stewart states that out in the west part of the state, a person buried copper coils. He ran his irrigation pumps off the magnetic field that was created. Stray voltage affects dairy animals. Easements and access would need to be obtained by every landowner. The County needs to decide if we want this to come across our area. Do we have the authority to keep this out? A transmission line corridor could be created to keep this away from the cities.

#### **APPROVAL OF MINUTES FROM JULY 13, 2011 MEETING**

Motion is made by Mary Anderson to approve the Planning Commission minutes of July 13, 2011 with no corrections. The motion is seconded by Thell Stewart, and the motion passes.

With no further business before the Planning Commission, motion to adjourn is made by Steve Anderson. The motion is seconded by Joseph Nielsen, and the motion passes.

The meeting is adjourned at 9:24 P.M.