The Regular Meeting of the
**BRIAN HEAD TOWN**
**PLANNING COMMISSION**
56 N. Hwy 143, Brian Head, UT 84719
Via Zoom Meeting ID# 869 3374 1458
www.zoom.us
Tuesday, January 19, 2021 @ 1:00 p.m.

# Agenda

**A. CALL TO ORDER**
**B. PLEDGE OF ALLEGIANCE**
**C. DISCLOSURES**
**D. MINUTES:** October 20, 2020, November 03, 2020
**E. REPORTS / PUBLIC INPUT**
**F. AGENDA ITEMS**

**1. CONDITIONAL USE PERMIT -CROOKED CREEK CAMPGROUND / RV PARK**
The Commission will review a Conditional Use Permit application for 362 N. Hwy 143. The applicant is requesting the Conditional Use for the purpose of building and operating a campground / RV Resort.

**2. LAND MANAGEMENT CODE DISCUSSION**
The Commission will discuss Chapter 9 of the Land Management Code regarding the Metes & Bounds subdivision process.

**G. ADJOURNMENT**

Dated the 15th day of January, 2021
Available to Board Members as per Resolution No. 347 authorizes public bodies, including the Town, to establish written procedures governing the calling and holding of electronic meetings at which one or more members of the public body may participate by means of telephonic or telecommunications conference.
In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should call Brian Head Town Hall @ (435) 677-2029, giving at least 48 hours advance notice.

**CERTIFICATE OF POSTING**
I hereby certify that I have posted a copy of this agenda on the Utah State Public Meeting Notice Website and have caused a copy of this notice to be delivered to the Daily Spectrum.

Wendy Dowland,
Planning Commission Secretary

# STAFF REPORT TO THE PLANNING COMMISSION

**SUBJECT:** Conditional Use Permit – Crooked Creek Campground
**AUTHOR:** Wendy Dowland
**DEPARTMENT:** Administration
**DATE:** January 19, 2021
**TYPE OF ITEM:** Legislative Action

## SUMMARY:

The Planning Commission will review a Conditional Use Permit application for 362 N. Hwy 143. The applicant would like to build and operate a campground / RV Park.

## BACKGROUND:

The property at 362 N. Hwy 143 was rezoned to General Commercial. The General Commercial zone allows for a campground / RV Park as a Conditional Use. The applicant will need to submit a Conceptual Design application for the Planning Commission's approval before a building permit is issued. The Planning Commission initially reviewed the Conditional Use application on August 4, 2020, but tabled the agenda item. The Commission wanted to see the proper UDOT approvals before making a decision. It was determined that UDOT would not proceed without the Commission's approval. The Commission reviewed the application during the October 06, 2020 meeting and again during the October 20, 2020 meeting. The Planning Commission instructed staff to create language for conditions that would address the concerns of the Planning Commission.

## ANALYSIS:

The following is a list of concerns the Commission discussed regarding the proposed Conditional Use for the Crooked Creek Campground / RV Park:

*Bathrooms*
*OHV trail*
*Storm drainage*
*Screening / Trees*
*Lighting*
*Hard surfacing of driveways*
*Condition and length of stay for RVs*
*Campfires*
*Pet cleanup and control*
*Easement for access on the convenience center property*
*One year review*

Please see attached draft of the proposed conditions that address the concerns that were discussed.

## STAFF RECOMMENDATION:

Staff recommends approving the Conditional Use Permit with conditions to mitigate detrimental effects.

## PROPOSED MOTION:

I move to approve the Conditional Use Permit for 362 N. Hwy 143 with the attached list of specific conditions and exhibits.

## ATTACHMENTS:

Conditional Use Permit (Draft) and Exhibits

# CONDITIONAL USE PERMIT (DRAFT)

**APPLICANT:** Crooked Creek Campground
**PROPERTY:** 362 N Hwy 143
**ZONE:** General Commercial
**USE:** Campground
**DATE APPROVED:** January 19, 2021

In accordance with §9-11-2 of the Brian Head Town Code, the following conditions are required to be met for the above-referenced use at the above-referenced location in order to assure compatibility and harmonious relationships between the proposed use and the surrounding properties and the town in general. Conditional use approval may be revoked upon failure to comply with all conditions set forth in this conditional use permit.

Reasonably anticipated detrimental effects:

1. Parking and traffic congestion
2. Light and noise pollution
3. Air pollution related to campfires
4. Visual impact to immediate neighbors & the public right-of-way
5. Impact on the character of the neighborhood
6. Sanitation issues related to overnight outdoor use

Recommended conditions for mitigation of anticipated detrimental effects:

1. Access from Highway 143 must be approved by Utah Dept of Transportation
2. The existing Town Snowmobile/OHV Trail must be accommodated in the UDOT right of way with approved crossings
3. Storm drainage system will be installed in accordance with attached plan and maintained in perpetuity
4. Screening
    a. Required screening will be done with mature trees (6+ feet) planted in natural groupings/clusters with snow storage clearance. Screening will be maintained in perpetuity.
    b. A double row of vegetative screening (trees and shrubs) will be used to screen from Crooked River Townhomes.
    c. Landscaping will be substantially consistent with attached Landscaping Plan
5. Lighting will strictly meet Town Code for night sky standards
6. Groves of trees on south end of property will be preserved with appropriate thinning for grove health and fire mitigation
7. Any cabin units utilized during the winter (between November and April) will be equipped with either plumbed or portable toilets
8. Hard surface driveways/parking (maybe a chip seal)
9. Campers and RV's will not be allowed to remain beyond 16 days
10. Storage of personal items not in active use must be kept within or beneath vehicles
11. RV Condition Standards will adhere to the attached RV guidelines
12. Campfires and fire-pits will adhere to the attached campfire plan
13. Will establish and enforce a pet cleanup policy and will adhere to Town leash ordinances (see attached RV Site Standards & Guidelines).

DRAFT

14. Perpetual access easement will be recorded for access to the campground from the Crooked River Convenience Center
15. This permit will be reviewed after one year following the issuance of a Certificate of Occupancy, with the potential for a one-year extension of the review date by the Planning Commission.

Exhibit A
Site Plan, Landscaping Plan, Campfire Plan

Exhibit B
Storm Drainage/Grading plan

Exhibit C
RV Site Standards & Guidelines

# Crooked River RV Resort and Campground

## RV Site Standards & Guidelines

**Your satisfaction is very important to us. We appreciate that you have chosen to spend your time with us and want to make sure you and all our guests enjoy their stay. With this in mind, we have outlined some basic RV standards and site standards to ensure that we maintain a standard of quality in our resorts and campgrounds.**

**Please note, that these guidelines and examples are not intended to address all possible situations that may arise at a property. Individual campgrounds/resorts may have specific rules/regulations providing specific guidelines relating to their individual properties. As well as these standards and guidelines may be changed or updated at any time and without notice. If you have any questions or concerns, please feel free to stop by the management office at your convenience.**

**Most importantly, we hope you enjoy your stay with us!**

## RV Standards

The quality of RVs in a resort or campground can contribute to or detract from the overall experience of all the campers. For this reason, we enforce some standards of appearance on RVs, similar to those in place at many other RV resorts and campgrounds.

Our property rules state that “all vehicles must be operable and in good condition.” We think it may be helpful to outline a few examples of what is meant by “good condition.”

## Age Limit

Please note that “good condition” does not mean “new,” and we do not typically have an age limit for RVs.

## RV Certification

RVs should have RVIA certification. RVIA certification states the rig complies with certain fire codes, which are important. Occasionally, exceptions can be granted by Resort Managers and/or Regional Managers on a case-by-case basis for non-RVIA rigs which seem to conform to safety requirements and are of a design and style compatible with the park. A park model RV, also known as a recreational park trailer, should be certified by the manufacturer, and are built in accordance with the ANSI code.

## Appearance Guidelines

Overall, the RV should look and function as it was originally designed. While we cannot provide a list including every possible scenario, following are a few examples that should be helpful:

- Doors, shrouds, panels, windows and coverings, etc. should be intact and not unsightly.
- Exterior should be not unsightly, and should be free of obvious, poorly repaired damages.
- Tarps cannot be used for weatherproofing and awnings should be in good condition.
- Air conditioning units should not be added through the walls or windows unless previously approved.
- All hoses, wires, etc. should route through ports as originally designed.
- Exterior should be free of duct tape, repair tape, excessive caulk, etc.

Isolated minor issues are generally acceptable, provided multiple issues aren’t combined to substantially deteriorate the appearance of an RV:

- Minor body damage which has been properly repaired but is still visible.

- Fading of decals and/or paint.
- Minor window cracking, although replacements should be scheduled.
- Damage from traveling that has just happened, especially if you have a repair plan.

## Site Standards

We all need to be good neighbors to our fellow campers! No one likes to camp next to a messy site, and a messy campsite can be an open invitation to unwanted wildlife.

Following are some guidelines to help everyone be a good neighbor in the campground:

## Recreational vs. Residence

For our seasonal or annual campers, we need to remember that your campsite is a recreational site and not a residence.

- Customers shall use their RV and site for recreational purposes only and shall not use their RV and site as a permanent residence. Length of stay requirements are based on legal requirements and property established guidelines.

## Safety Guidelines

- Campsites should be clean and neat, free of fire hazards and clutter.
- Customers shall not make any alteration to the electric, water or sewer connections provided by the campground/resort.
- Customers should adhere to specific legal requirements when connecting to sewer, water, and electric services at the campground/resort.
- Customers should be able to move your rig very quickly in case of emergency.
- No extra air conditioners, wires, hoses, or cords running except through the OEM port.
- “Hot Coals” or “Fire pit ashes” are only to be disposed of only in preapproved / marked location.

## Tarps, Tents, Shade Structures, Other Structures

- Tents and “easy-up”-type structures are for temporary use only, and may be limited on length of use by management at its discretion.
- Manager can approve more substantial, semi-permanent shade structures, in accordance with the individual property guidelines.
- Only form-fitting bike/car covers are allowed. Carports are prohibited.
- No use of tarps to cover any part of your RV or campsite unless previously approved by management.
- Exterior furnishings should be appropriate for outdoor/camping use. Indoor furnishings including but not limited to, sofas, chairs, refrigerators, freezers, and kitchen tables are not allowed on your campsite.
- Fencing is limited to 24” in height and may be utilized only in the area under the rig awning.
- The following flags are allowed to be displayed at your site and throughout the campground/resort, American, Canadian, Military, including Air Force, Army, Marine Corps, Navy, Coast Guard, POW, MIA, and veterans, sports and decorative flags such as holiday, seasonal or garden. Any flags determined to be obscene or offensive by management will be removed.

## Pets

- No more than two (2) common household pets (e.g., cats and dogs) may be kept on any site. No other animals, livestock, poultry, reptiles or insects of any kind shall be kept on any site.
- No dangerous, aggressive, or poisonous pets of any kind are permitted.
- Management reserves the right to reject any pet.
- All pets must be registered with the office and vaccination records must be available upon request.
- All pets must wear a collar identifying the owner and phone number and all pets must be on a leash at all times.
- No pet shall be left tied or otherwise unattended at any time.
- Pet owners must clean up after their pets.
- Pets are not permitted in the public buildings or amenity areas, including but not limited to the bathrooms, clubhouse, swimming pool or any other common areas.
- Pets should not be an annoyance (barking continually), or a danger to the other occupants or visitors of the campground.
- The campground shall have no liability to family members or guests for any damage or injury to persons or property caused by any pet.

## Noxious Activities

- No illegal, noxious or offensive activities shall be conducted at any site, nor shall anything be done within the campground which is or could become an unreasonable annoyance or nuisance to neighboring sites.
- We will not tolerate abusive or disruptive behavior whether directed at management, staff, or other persons.
- Smoking is not permitted in any of our buildings, including restrooms, pool areas and rental units. Smoking material must be extinguished in an appropriate fire container.
- The open consumption of alcoholic beverages is discouraged in the family areas of the campground/resort. Where permitted, alcoholic beverages must be kept in a concealed container. Under no circumstances will minors, as determined by state and local law, be served, or allowed to consume alcoholic beverages at the campground/resort.

## Disorderly Persons

- The following are grounds for reservation termination and removal from the property: loud noise, whether mechanical, musical, or vocal, use of foul or indecent language, causing damage to property of the campground or another person, drunken disorderly conduct, failing to follow rules, failing to follow directions of the property staff, threatening or abusive behavior or any other conduct that is not the type of behavior that is expected at a family campground/resort.

## Damage

- Customers are responsible for all damage or destruction of property, and any injury to persons, caused by the guest or his or her family, visitor, or pets. We reserve the right to charge guests accordingly for any damage they cause to the grounds and/or campground/resort facilities, including but not limited to broken waterlines, damaged/missing sewer connections, cable lines, landscaping, and excessive debris (bottle caps, zip ties, cigarette butts, etc.).

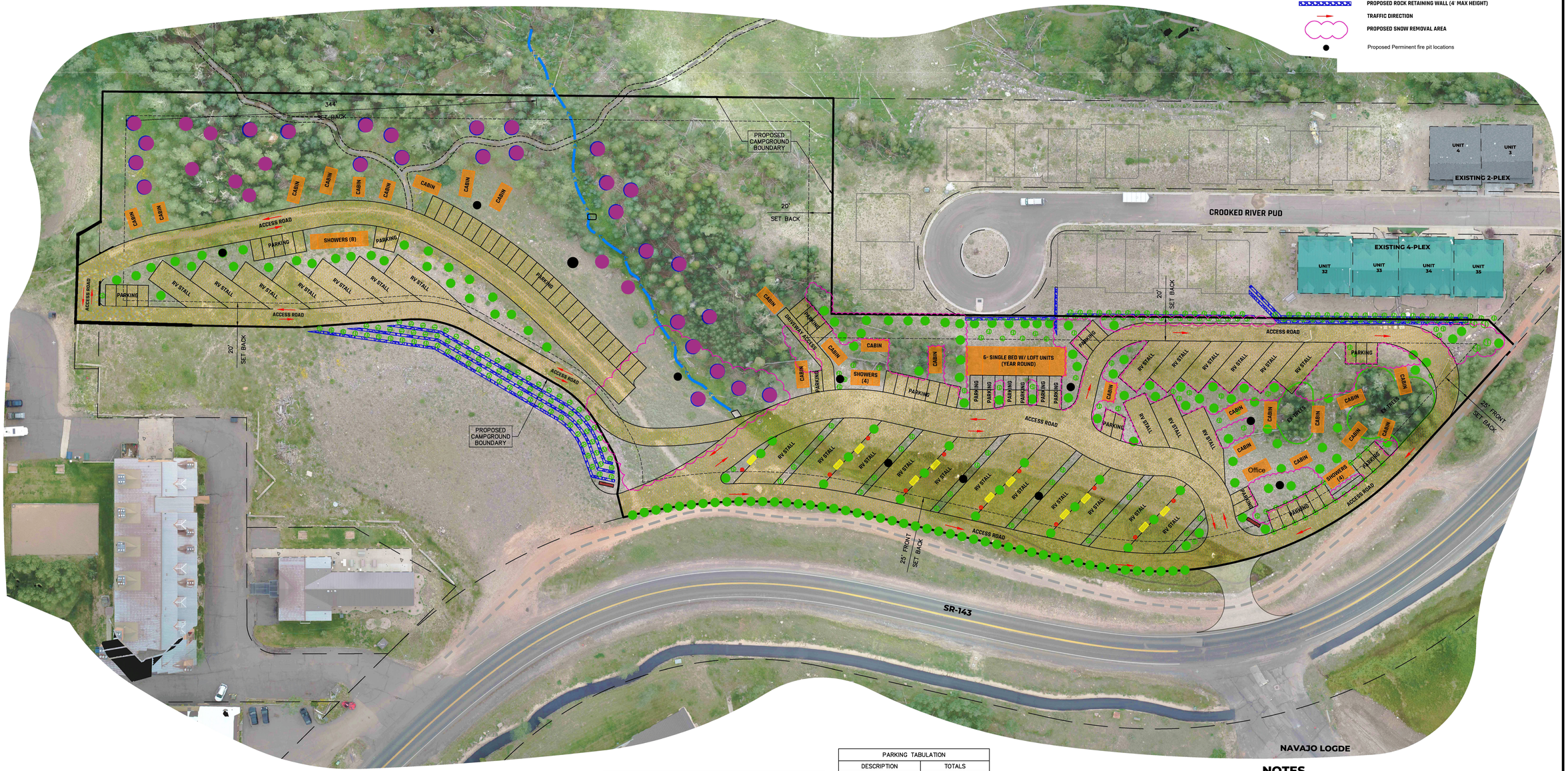
# CROOKED CREEK CAMPGROUND CONCEPT PLAN
## FOR
# FRONTIER WEST HOLDINGS

**LOCATED IN SECTION 2, T36S, R9W, SLB&M, BRIAN HEAD, UTAH**

40 0 40'
SCALE IN FEET

## LEGEND

- EXISTING DRAINAGE CHANNEL
- EXISTING TRAIL
- PROPOSED GRAVEL ROAD / PARKING
- PROPOSED ASPHALT
- PROPOSED TREES
- PROPOSED ENTRANCE SIGN
- PROPOSED PICNIC TABLE
- PROPOSED FIRE PIT
- PROPOSED TENT SITE
- PROPOSED CABIN OR SHOWER/BATHROOM AS NOTED
- PROPOSED ROCK RETAINING WALL (4' MAX HEIGHT)
- TRAFFIC DIRECTION
- PROPOSED SNOW REMOVAL AREA
- Proposed Perminent fire pit locations




| CAMPGROUND SNOW STORAGE AREA (SOUTH AREA ONLY) | |
|---|---|
| DESCRIPTION | TOTALS |
| ROAD/RV STALL/ PARKING (GRAVEL) | 1.55 AC |
| REQUIRED SNOW STORAGE | 0.31 AC (20%) |
| PROVIDED SNOW STORAGE | 0.70 AC (45%) |

**SEASONAL CAMP GROUND AREA NOT INCLUDED IN REQUIRED SNOW STORAGE**

| PARKING TABULATION | |
|---|---|
| DESCRIPTION | TOTALS |
| RV PARKING STALLS (NORTH/SEASONAL AREA) | 7 |
| REGULAR PARKING STALL (NORTH/SEASONAL AREA) | 36 |
| RV PARKING STALLS (SOUTH AREA) | 20 |
| REGULAR PARKING STALL (SOUTH AREA) | 37 |
| TOTAL PARKING | 100 |

| ENTIRE CAMPGROUND AREA USE TABULATION | |
|---|---|
| DESCRIPTION | TOTALS |
| TOTAL CAMPGROUND AREA | 5.57 AC |
| ROADS/BUILDINGS/PARKING/RV STALLS | 2.49 AC (45%) |
| LANDSCAPE/NATURAL AREA | 3.08 AC (55%) |

## NOTES

1. **ALL NEW TREES TO BE WATERED BY A IRRIGATION DRIP SYSTEM**
2. **A SPRINKLER SYSTEM TO BE INSTALLED TO HELP WITH DUST CONTROL ON THE EXISTING TRAIL ALONG SR-143 AND THE PROPOSED GRAVEL CAMPGROUND ACCESS ROAD.**
3. Maximum number of permanent fire pits on the property set at 11. Other portable fire pits allowed but limited to non-smoke producing types.

**11 X 17 SHEETS ARE NOT TO SCALE**

REVISIONS

| NO | DESCRIPTION | BY | DATE |
|---|---|---|---|

INFORMATION CONTAINED ON THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY. THE INDIVIDUAL RECEIVING THIS DRAWING ASSUMES ALL RESPONSIBILITY FOR ITS USE AND ACCURACY. ALL DIMENSIONS ARE APPROXIMATE AND ARE NOT INTENDED FOR CONSTRUCTION. ALL EXISTING UTILITY LOCATIONS MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.

GO CIVIL ENGINEERING
590 N. 800 W. CEDAR CITY, UT 84721
#(435) 586-9592 WWW.GOCIVIL.NET

CROOKED CREEK CAMPGROUND CONCEPT PLAN FOR FRONTIER WEST HOLDINGS
LOCATED IN SECTION 2, T36S, R9W, SLB&M, BRIAN HEAD, UTAH

PRELIMINARY

CHECKED:

| SCALE: | DRAWN: |
|---|---|
| 1" = 40' | MP |
| DATE: | SHEET: |
| 11/25/20 | 1 OF 1 |

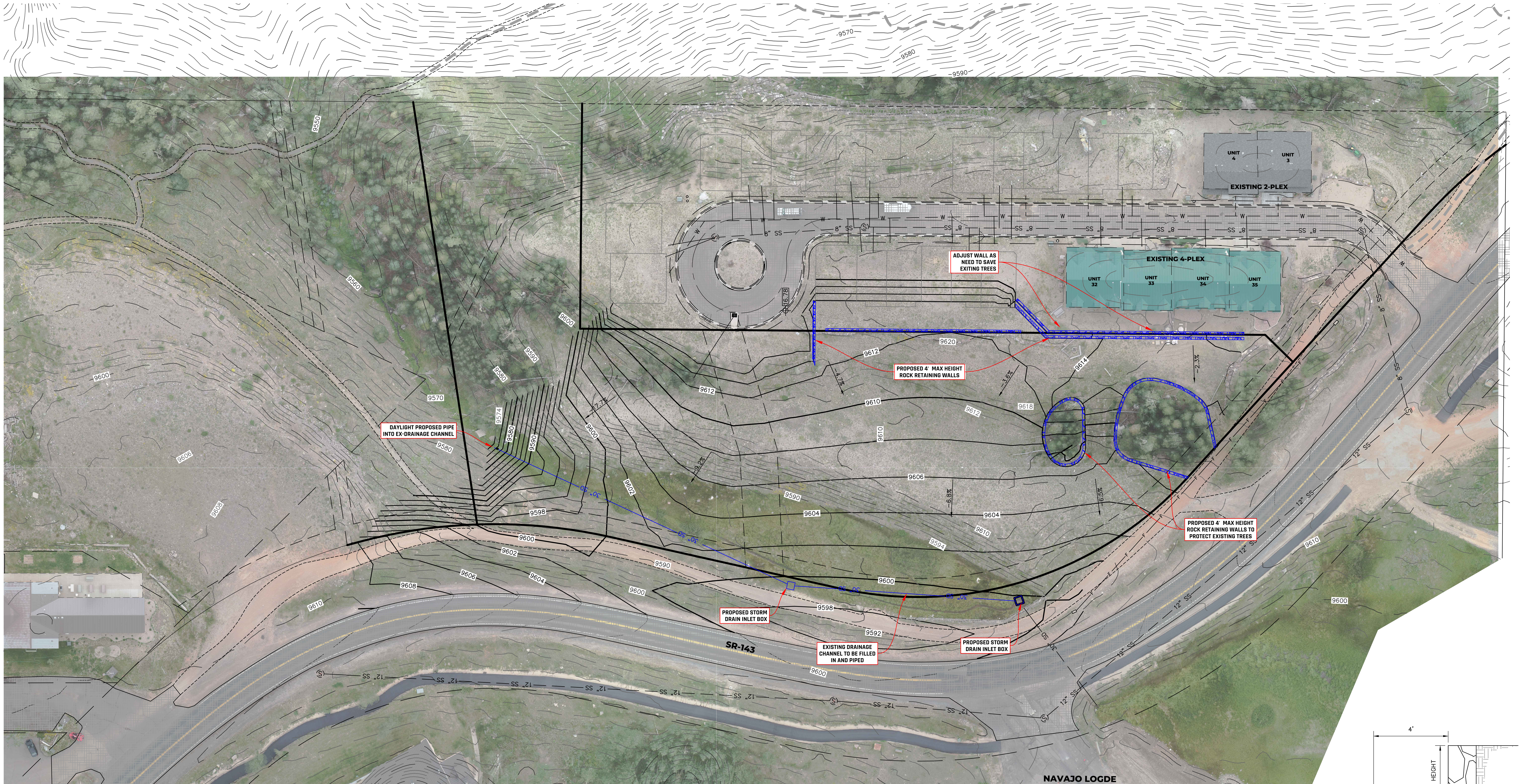
S:\13-335 CROOKED RVS\ SUBMISSION\SURVEY\CROOKED RVS RV PARKING 11/25/2020, 2:11:28 PM by:GoCivil-7

# PROPOSED GRADING PLAN
## FOR
# FRONTIER WEST HOLDINGS
### LOCATED IN SECTION 2, T36S, R9W, SLB&M, BRIAN HEAD, UTAH

40 0 40'
SCALE IN FEET

## GRADING NOTES

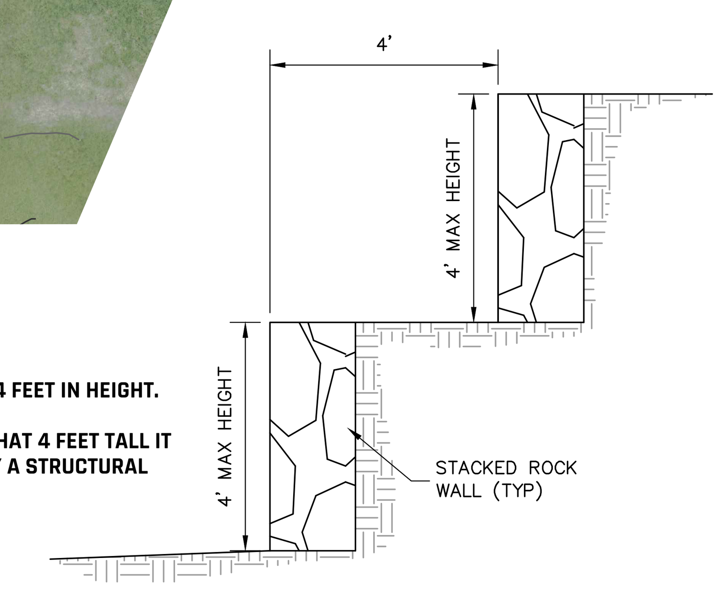
1. THIS EXHIBIT IS FOR REFERENCE ONLY TO SHOW THE APPROXIMATE LIMITS OF THE PROPOSED GRADING.
2. THE PURPOSE FOR GRADING THIS SITE IS TO ALLOW FOR MORE USEABLE AREA.
3. CONTRACTOR / DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY PERMITS AND APPROVALS FOR GRADING AND IMPROVEMENTS WITHIN UDOT RIGHT-OF-WAY.
4. AREA NOT INTENDED FOR FUTURE DEVELOPMENT SHALL BE RE-SEEDED TO PREVENT FUTURE EROSION. SEED MIX SHALL MEET THE REQUIREMENTS OF THE BRIAN TOWN ORDINANCES AND CODES.




| EARTHWORK QUANTITIES | | |
|---|---|---|
| CUT (CY) | FILL (CY) | NET (CY) |
| 9,822 | 22,765 | -12,943 |

NOTES:
1. EARTHWORK QUANTITIES ARE FOR REFERENCE ONLY & ARE CALCULATED AS NEAT LINE WITH NO SHRINKAGE FACTOR. THE CONTRACTOR SHALL PERFORM & VERIFY THEIR OWN EARTHWORK QUANTITIES FOR BIDDING PURPOSES.
2. ALL EARTHWORK QUANTITIES ARE CALCULATED TO FINISH GRADE.
3. MATERIAL LOSS DUE TO CLEARING & GRUBBING HAS NOT BEEN CALCULATED.
4. ANY EXCESS MATERIAL TO BE EVEN DISTRIBUTED THROUGHOUT THE SITE AREA AS DIRECTED BY THE OWNER.

NOTES:
1. ROCK WALLS NOT TO EXCEED 4 FEET IN HEIGHT.
2. IF WALL HEIGHT IS GREATER THAT 4 FEET TALL IT MAY NEED TO BE DESIGNED BY A STRUCTURAL ENGINEER.




**ROCK WALL DETAIL**

N.T.S.

**PRELIMINARY NOT FOR CONSTRUCTION**

11 X 17 SHEETS ARE NOT TO SCALE

S:\19-330 CROOKED RIVER SUBDIVISION\SOURCE\CROOKED RIVER GRADING PLAN IN UDOT RW.DWG 6/30/2020 1:08:47 PM by:GoCivil-7

| REVISIONS | | | |
|---|---|---|---|
| NO | DESCRIPTION | BY | DATE |

INFORMATION CONTAINED ON THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY. THE INDIVIDUAL RECEIVING THIS DRAWING ASSUMES ALL RESPONSIBILITY FOR VERIFYING THE ACCURACY, SUITABILITY & USABILITY OF THIS INFORMATION FOR THE PURPOSES INTENDED. ALL EXISTING UTILITY LOCATIONS MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.

GO CIVIL ENGINEERING
590 N. 800 W. CEDAR CITY, UT 84721
#(435) 586-9592 WWW.GOCIVIL.NET

PROPOSED GRADING PLAN
FOR
FRONTIER WEST HOLDINGS
LOCATED IN SECTION 2, T36S, R9W, SLB&M, BRIAN HEAD, UTAH

| CHECKED: | |
|---|---|
| SCALE: 1" = 40' | DRAWN: MP |
| DATE: 6/30/20 | SHEET: 1 OF 1 |

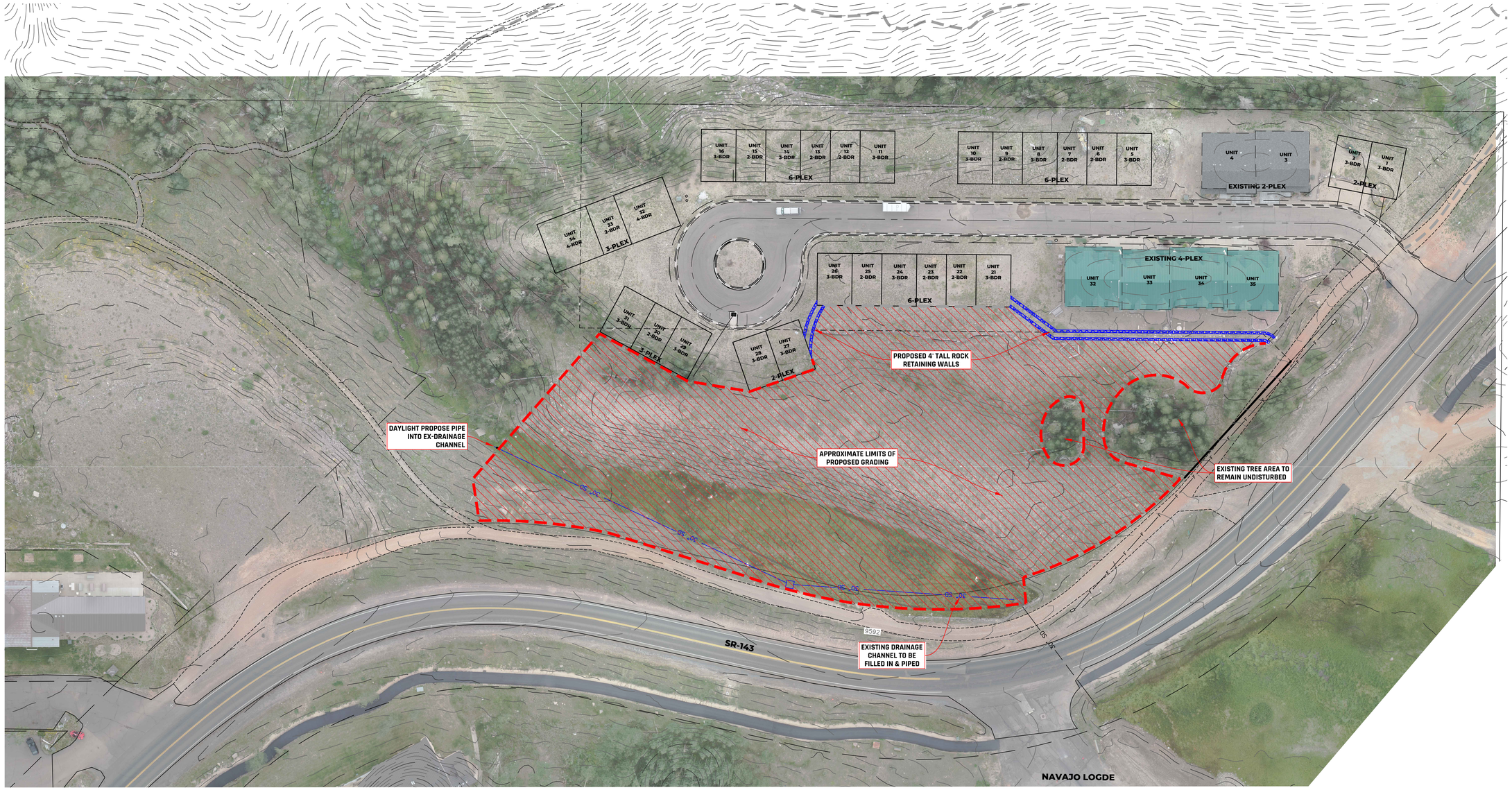
# PROPOSED GRADING EXHIBIT
## FOR
# FRONTIER WEST HOLDINGS

**LOCATED IN SECTION 2, T36S, R9W, SLB&M, BRIAN HEAD, UTAH**

40 0 40'
SCALE IN FEET

## GRADING NOTES

1. THIS EXHIBIT IS FOR REFERENCE ONLY TO SHOW THE APPROXIMATE LIMITS OF THE PROPOSED GRADING.
2. THE PURPOSE FOR GRADING THIS SITE IS TO ALLOW FOR MORE USEABLE AREA.




**PRELIMINARY NOT FOR CONSTRUCTION**

11 X 17 SHEETS ARE NOT TO SCALE

S:\1-JOB JOBWORK RIVER SUBDIVISION\DWG\GRADING RIVER GRADING PLAN.DWG 6/9/2020 3:01:46 PM by:Mike P

REVISIONS

| NO | DESCRIPTION | BY | DATE |
|---|---|---|---|
| | | | |

INFORMATION CONTAINED ON THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY. THE INDIVIDUAL RECEIVING THIS DRAWING AGREES TO VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE BEGINNING WORK AND ASSUMES ALL RESPONSIBILITY FOR ANY ERRORS OR OMISSIONS NOTED HEREON. THIS DRAWING IS NOT INTENDED FOR CONSTRUCTION PURPOSES. ALL EXISTING UTILITY LOCATIONS MUST BE FIELD VERIFIED PRIOR TO CONSTRUCTION.

GO CIVIL ENGINEERING
590 N. 800 W. CEDAR CITY, UT 84721
#(435) 586-9592 WWW.GOCIVIL.NET

PROPOSED GRADING EXHBIT
FOR
FRONTIER WEST HOLDINGS
LOCATED IN SECTION 2, T36S, R9W, SLB&M, BRIAN HEAD, UTAH

| | |
|---|---|
| CHECKED: | |
| SCALE: 1" = 40' | DRAWN: MP |
| DATE: 6/9/20 | SHEET: 1 OF 1 |



# Porta Potti® 565E

The original and best portable toilet!

BUY NOW

(https://www.thetford.com/buy-button-PP-565E)

- Battery-powered electric flush
- Sleek, modern and homelike design
- Comfortable seat height
- Large bowl
- User-friendly Flush Lever
- Tank Level Indicator for fresh water and waste tanks



(https://www.thetford.com/wp-content/uploads/2018/04/92306-PortaPotti-565E-Open-S.jpg)



(https://www.thetford.com/wp-content/uploads/2018/04/92306-PortaPotti-565E-Open-R.jpg)



(https://www.thetford.com/wp-content/uploads/2018/04/92306-PortaPotti-565E-electric-flush.jpg)



(https://www.thetford.com/wp-content/uploads/2018/04/92306-PortaPotti-565E-Fill-1.jpg)





(https://www.thetford.com/wp-content/uploads/2018/04/92306-PortaPotti-565E-Fill-2.jpg)



(https://www.thetford.com/wp-content/uploads/2018/04/92306-PortaPotti-565E-Floor-Plate.jpg)



(https://www.thetford.com/wp-content/uploads/2018/04/92306-PortaPotti-565E-top-detail.jpg)





(https://www.thetford.com/wp-content/uploads/2018/04/92306-PortaPotti-565E-TP-holder-open.jpg)

- Hidden controls
- Integrated tissue holder





3-year warranty

For easy transportation or storage, check out the Porta Potti Carrying Bag (https://www.thetford.com/product/porta-potti-carrying-bag/).




(https://www.thetford.com/product/porta-potti-carrying-bag/)

Caution: Do not use stiff brushes or homemade products to clean or lubricate the valve and seal, as these will damage the seals and surfaces of your portable toilet, causing odors to escape from holding tanks. Thetford recommends using Aqua-Clean (https://www.thetford.com//product/ultrafoam-aqua-clean/) and toilet seal lubricants.

## Product Details

**SKU & Model**

| SKU | Model # |
|---|---|
| 92306 | 565E |

**Toilet Dimensions**

## Product Details

| Height | Width | Depth |
|---|---|---|
| 17.6" | 15.2" | 17.7" |
| Carton Weight (lb) | Carton Volume (cf) | |
| 13.45 | 2.99 | |

**Capacity**

| Fresh Water | Waste Water | Average Flushes |
|---|---|---|
| 4.0 gal | 5.5 gal | 56 |

**Product Features**

| Flush Type | Level Indicator |
|---|---|
| Electric | Yes |

## Applications

Emergency (https://www.thetford.com/applications/emergency/)
Healthcare (https://www.thetford.com/applications/healthcare/)
Marine (https://www.thetford.com/applications/marine/)
Outdoor Activities (https://www.thetford.com/applications/outdoor-activities/)
Recreational Vehicles (https://www.thetford.com/applications/recreational-vehicles/)
Toddler Training (https://www.thetford.com/applications/toddler-training/)
Trucking (https://www.thetford.com/applications/trucking/)
Vans (https://www.thetford.com/applications/vans/)

*Dealer and Service* LOCATOR (https://www.thetford.com/customer-support/dealer-and-service-center-locator/)

*Product* REGISTRATION (https://www.thetford.com/customer-support/product-registration/)



Copyright © 2021 Thetford Corporation

# STAFF REPORT TO THE PLANNING COMMISSION

**SUBJECT:** Land Management Code Discussion
**AUTHOR:** Wendy Dowland
**DEPARTMENT:** Administration
**DATE:** January 19, 2021
**TYPE OF ITEM:** Discussion

## SUMMARY:

The Planning Commission will discuss the subdivision process for Metes & Bounds properties and clarify for staff whether the intent is to follow the normal subdivision process or allow for a simplified process, if the subdivision results in less than 10 lots.

## BACKGROUND / ANALYSIS:

Staff has had several inquiries regarding subdividing properties into more than one lot, but less than 10 lots. The lots being subdivided are not part of an existing subdivision and are considered Metes & Bounds. Staff discovered conflicting information when reviewing the process and is asking for clarification from the Planning Commission.

Table 1 in Chapter 4 of the LMC requires that Chapter 9 be applied, that the action is recorded with the County and that it has staff, Planning Commission and Town Council review. Typically, the Town Council is only involved with new subdivisions. Is this an error in the table?

Chapter 9 states that subdivision by metes and bounds is to streamline the subdivision review and approval process for commercial and industrial lots. Was this meant to be specific to commercial and industrial zones or should it apply to residential zones as well?

## STAFF RECOMMENDATION:

Staff doesn't have a recommendation and is only seeking clarification.

## PROPOSED MOTION:

N/A – Discussion Only

## ATTACHMENTS:

Submittal Table
LMC Chapter 9 – Metes & Bounds
State Code

## TABLE 1

| | | Required Permits/Approvals/Actions | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | General Plan Amendment (Chap. 5) | Re-Zoning (Chap. 6) | Subdivision (Chap. 9) | Planned Unit Development (Chap. 11) | Plat Amendment (Chap. 9) | Conceptual Design Review (Chap. 8) | Building Permit-Final Review (Chap. 8) | Certificate of Occupancy (Chap. 8) | Certificate of Completion (Chap. 8) | Grading/Trenching Permit (Chap. 10) | Sign Permit (Chap. 14) | Variance (Chap. 11) | Conditional Use (Chap. 11) | Record with County Recorder (Chap. 9) | Tree Removal (Chap. 10) | Staff Review | Land Use Authority Review/Approval | Appeals Body (Chap. 3) |
| 1 | Selling or Conveying An existing lot in its entirety (with or without an existing building) | | | | | | | | | | | | | | √ | | | | |
| 2 | Creating One new lot per LMC Chap. 9 Minor Subdivision | | | √ | | | | | | | | | | | √ | | √ | W | V |
| 3 | Creating more than one new lot to be created from a larger parcel | | | √ | | | | | | | | | | | √ | | √ | X1 | V |
| 4 | Constructing or modifying a commercial or multi-family residential building on an existing lot | | | | | | √ | √ | √ | | E | | | | | K | √ | X | V |
| 5 | Constructing or remodeling a single-family home on an existing lot | | | | | | | √ | √ | | | | | | | K | √ | W | V |
| 6 | Painting all or parts of an existing commercial building | | | | | | √ | I | | | | F | | | | | √ | W | V |
| 7 | Changing the use of a building (such as an office to a store, store to clinic, etc.) | A | B | | | | | √ | √ | | | F | | D | | | √ | W | V |
| 8 | Proposing a use not allowed by current zoning | A | √ | | | | | I | I | | | | | D | | | √ | X | V |
| 9 | Grading or constructing a road or driveway | | | | | | | | | √ | √ | | | | | K | √ | W | V |
| 10 | Digging and/or installing utilities (water, sewer, septic, gas, electricity, cable tv) | | | | | | | | | √ | √ | | | | | K | √ | W | V |
| 11 | Removing trees on a private property | | | | | | | | | | | | | | | √ | √ | W | V |
| 12 | Building a retaining wall | | | | | | √ | H | | | | | | | | K | √ | H | V |
| 13 | Installing an exterior yard light | | | | | | √ | √ | | | | | | | | | √ | W | V |
| 14 | Installing a new sign or modifying and/or enlarging an existing sign | | | | | | √ | H | | | | √ | | | | | √ | W | V |

Key:

| | |
|---|---|
| √ | Always Required |
| A | If the intended use is not consistent with the General Plan |
| B | If the proposed use is not consistent with existing Zoning |
| C | If greater flexibility is desired than permitted under standard subdivision regulations |
| D | If proposed use is permitted in the Zone District as a condition upon special review |
| E | If grading and/or trenching are proposed |
| F | If signage is proposed |
| H | As required in Building Code and/or LMC |
| I | When required by the currently adopted building code |
| J | An abbreviated review by Building Dept. staff for single family homes |
| K | If trees greater than 6" diameter at chest height (trunk) are to be removed |
| L | Only the Sketch Plan submittal is required |
| V | Appeal Authority |
| W | Staff |
| X | Planning Commission |
| X1 | Planning Commission and Town Council process |
| Y | Town Council |
| Z | District Court |

(2010 Code, amd. Ord. 15-004, 4-28-2015)

## 9-9-8: SUBDIVISION BY METES AND BOUNDS:

A. Purpose:

1. The intent of subdivision by metes and bounds is to streamline the subdivision review and approval process for commercial or industrial lots in coordination with the street system, existing and proposed utility easements, sewer and water lines, storm drainage easements, and plans for future lot divisions.

2. When the subdivider is prepared to sell specific parcels of property not previously subdivided, he or she must demonstrate to the satisfaction of the town the following:

   a. That proposed lots conform to the previously approved general plan and this title;

   b. That the utility and/or vehicular access to remaining undeveloped property will not be impaired;

   c. The proposed lots will have access to necessary utilities, unless otherwise approved by the town and applicable authority;

   d. That remnant parcels are not created which, due to size, configuration or location, do not meet current zoning requirements and/or are not able to be developed; and

   e. The proposed subdivision meets the criteria for exemption from the plat requirement set forth by the Utah Code Annotated section 10-9a-605, as amended.

B. Review Process:

1. Prior to the subdivision of any parcel or tract by metes and bounds, such subdivision shall be approved by the Zoning Administrator. The approval shall be based on the compliance of the proposed subdivision with the laws and ordinances of the town with respect to street improvements, installation of utilities, zoning requirements and flood control requirements.

2. If streets are to be dedicated to the public, a dedication plat shall be approved and recorded before specific lots are approved. If dedication is required for existing streets, a warranty deed shall be submitted for such dedication before lots are approved.

3. The subdivider shall submit a complete application, which shall include one reproducible copy and two (2) prints of the property survey and legal description certified by a licensed land surveyor, and any necessary improvement plans and bond agreements. At the time application is made, the owner shall pay an application fee as published in the consolidated fee schedule.

4. The town staff, along with other appropriate departments and agencies, shall review the proposed subdivision.

5. The subdivision may be approved, approved with conditions, or disapproved. The decision shall be made within a reasonable time period after receipt of the application. If the subdivision is not approved, the town staff shall notify the subdivider in writing and provide the reasons for the disapproval.

6. If the survey is in compliance with all applicable ordinances and conditions, the plat shall be signed by the Town Manager. (Ord. 08-016, 8-12-2008)

***Effective 5/12/2020***

**10-9a-605 Exemptions from plat requirement.**

(1) Notwithstanding any other provision of law, a plat is not required if:

(a) a municipality establishes a process to approve an administrative land use decision for a subdivision of 10 or fewer lots without a plat; and

(b) the municipality provides in writing that:

(i) the municipality has provided notice as required by ordinance; and

(ii) the proposed subdivision:

(A) is not traversed by the mapped lines of a proposed street as shown in the general plan unless the municipality has approved the location and dedication of any public street, municipal utility easement, any other easement, or any other land for public purposes as the municipality's ordinance requires;

(B) has been approved by the culinary water authority and the sanitary sewer authority;

(C) is located in a zoned area; and

(D) conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.

(2)

(a) Subject to Subsection (1), a lot or parcel resulting from a division of agricultural land is exempt from the plat requirements of Section 10-9a-603 if the lot or parcel:

(i) qualifies as land in agricultural use under Section 59-2-502;

(ii) meets the minimum size requirement of applicable land use ordinances; and

(iii) is not used and will not be used for any nonagricultural purpose.

(b) The boundaries of each lot or parcel exempted under Subsection (2)(a) shall be graphically illustrated on a record of survey map that, after receiving the same approvals as are required for a plat under Section 10-9a-604, shall be recorded with the county recorder.

(c) If a lot or parcel exempted under Subsection (2)(a) is used for a nonagricultural purpose, the municipality may require the lot or parcel to comply with the requirements of Section 10-9a-603.

(3)

(a) Documents recorded in the county recorder's office that divide property by a metes and bounds description do not create an approved subdivision allowed by this part unless the land use authority's certificate of written approval required by Subsection (1) is attached to the document.

(b) The absence of the certificate or written approval required by Subsection (1) does not:

(i) prohibit the county recorder from recording a document; or

(ii) affect the validity of a recorded document.

(c) A document which does not meet the requirements of Subsection (1) may be corrected by the recording of an affidavit to which the required certificate or written approval is attached and that complies with Section 57-3-106.

Amended by Chapter 434, 2020 General Session