Emery County Planning & Zoning
Meeting Minutes
February 8th, 2023 1:00 p.m.

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IN ATTENDANCE: Gary Arrington, Bart Cox, Bill Dellos, Julie Johansen, Jim Jennings, Bruce Wilson, Jordan Leonard, Keven Jensen, Natalie Olsen, Mike Olsen,
EXCUSED: Tyler Jeffs

1. **Welcome**
   Gary Arrington welcomed all in attendance and opened the meeting.

2. **Approval of January 11th, 2023 Meeting Minutes.**
   Motion to approve the minutes was made by Bill Dellos with a second from Bart Cox. Voting was unanimous and Motion was approved.

3. **Discussion on Future Guidelines and Regulations for Planning Commission:**
   Gary said that we as a commission are looking for guidance. Is what we are doing necessary if it is not enacted upon when it leaves here. We have had concerns on enforcement and the General Plan and looking for future guidelines.
   Bill asked the new Commission if they are looking to improve this county. Where is the County wanting the Planning Commission to go, and what are they willing to enforce?
   Bruce said the Counties guidelines and codes were done with the Public's input, they held public hearings, and the General Plan is pretty important. In Public Lands they use the General Plan on how they deal with the government agencies that come to the meetings and they base the actions they are taking off of the General Plan.
   The General Plan is a guideline. The Planning Commission updates it when needed and then the Commissioners approve it.
   Julie said the things you do in the County or City must coordinate with that General Plan. That is your statute that says we can let this happen here because of the General Plan. It must continue to be updated.
   Jim said the last General Plan was updated in 2016. In the last few years the State has reached out to Emery County. There are five items that the state is requiring to be updated and included in the General Plan that we do not have. Also the Dingle Act has taken place since the last update of the General Plan and there is a lot of information we need to update in that plan around the Dingle Act. There is a lot of good in there but also a lot of stuff that is missing. Discussion in the past with other Commissioners has been that there is actually some money set aside in this year's budget to hire someone to

assist with that. We also have some commitments from the Public Lands Policy Coordinating Office, PLPCO, which is a State Organization to help. They actually have a contract with some companies to assist the counties in the state with their General Plan. There are a lot of things that are in place right now to get our General Plan updated. We do need to be involved with that as a Planning Commission and as a county. But as far as rewriting everything ourselves that's not how we need to do it. We can have some assistance with those professionals that have been doing it for other counties also. It would ultimately be up to us to review and approve to send it to the Commission to approve. Jordan also said we want to partner with the cities to not go against what their ordinances are. The other challenge is liability to the county. We have had to go to court for some things and making sure the county is covered on some of that liability, what we are willing to fight and who is willing to send the letters. There are a lot of questions that intermingle that we will have to figure out?

Jim did say there is a process to rewrite the General Plan. We have to send an RFP out, we have reached out to Mike, it has to be posted in the paper, we have to get permission from the County Attorney and Commissioners to move forward with that. Jim also said there are five areas that need to be in the General Plan. He will email them out to everyone.

What is the County's vision for the Planning Commission?

Jordan: Economic Development, Beautification, Potential Growth all dovetails in. We have to be prepared for potential growth. On the industry side we need to look at corridors where businesses are. Do we have areas where we can grow, maybe partner with the cities to say, do you want to grow a cul-de-sac? How do we work with cities? Jordan says in his opinion he likes to see slow growth and making sure we are ahead of the curve on planning and zoning issues as we grow.

The recreation side, we can talk about those but we might have to partner with Public Lands to see what we have there. We need to look and prepare for some sort of growth and be proactive instead of reactive on some of our ordinances. We need to be thinking about areas and partnering with cities and ask them how they want to grow and how the county can help in that at a sustainable rate.

Beautification: We need to be attractive to those people that want to move here. We need to be sensitive to that and allow people to have rights but we do need to have some teeth in some things that help our community stay beautiful and attractive to live.

Keven: The Ag ordinance was one of the reasons that Keven jumped into the Commission campaign. When you look at those numbers you were canceling out a whole entire industry saying they are not welcome. Those were tiny numbers when you were looking at feedlots and dairies you were in the numbers that were so small. Part of his belief is that he is a freedom guy. If the spirit of the law on a pig factory is you don't want to make it irritating for your neighbor then you can’t have 10 pigs by your neighbor because 10 pigs can smell just as bad as 2500 pigs if you are that one neighbor close to the 10 pigs. Keven believes that if your stuff stays on your property and you're not getting it on your neighbors property then that's ok.

The General Plan asks for Water Shed Cleanliness. Go up to Potters Pond July 15 and it smells like dog urine. If you are going to make an ordinance it needs to follow the spirit of the desire. If ordinances don't need to be there then don't put it in there.
Bruce said listening to Jordan and Keven, it comes back to what we faced when we were putting together the Land Use Plan. Everything that they based that plan off of was Emery County's Heritage, the spirit of our values and what we wanted to have for generations to come. Bruce said it encompasses what both commissioners are talking about.
Bottom line is the Planning Commission wants to do what the Commission wants them to do. That is why the Commissioners and attorney were asked to come today.
Gary asked, if the Planning Commission were wanting to enforce the ordinances would the county attorney be willing to move forward on enforcing those ordinances? Mike Olsen said that if it falls inside the County he would enforce that they comply with the ordinances, but he can't if it falls in city limits.

Another thing to think about is maybe lowering the square footage on the homes you can have on 2 acre lots.
We want the health and safety of our citizens to be protected and we want it to be enforced if we have those ordinances.

Jim said whatever direction we want to go, do we have the ordinances in place to enforce and help move along whatever that goal is? There is a lot of gray area in our ordinances that need to be looked at and rewritten because If there is a lot of gray area you can't really enforce those ordinances. We need stronger wording on the ordinances.

Gary suggests after everything that has been discussed we start with the General Plan next month and once we get that done we move into the zoning ordinances. We want to make sure the General Plan is in compliance and everything we add is in compliance as well. Everyone was in agreement.
Jim said in our next meeting we will have the election business on the agenda. Also we will check into rPlus Energies to see if they would like to attend the next meeting for solar matters.

4. **Adjourn:** Julie made a motion to adjourn with a second from Bart.