

**Sevier County Planning & Zoning Commission**  
**September 11, 2013**

Minutes of the Sevier County Planning Commission meeting held on the eleventh day of September 2013 in the Commission Chambers of the Sevier County Administration Building, 250 North Main, Richfield, Utah. Those present included: Chairman John Worley, Evelyn Nielsen, Brenda Malmgren, Mike Miles, Ralph Brown, and Caryl Christensen

Kelly Alvey was excused.

Others present included: Zoning Administrator Larry Hanson, Deputy Clerk/Auditor Barbara Crowther, and others listed on the attached roll.

**Minutes of August 14<sup>th</sup> approved:**

After review, Evelyn Nielsen moved to approve the minutes of the August 14<sup>th</sup> Planning Commission meeting, second Caryl Christensen, unanimous.

**Zoning Administrator Update:**

Zoning Administrator Larry Hanson reported on recent events. He said that Commissioner Topham had sent a letter to UDOT about clean-up of the hot plant site on Riverbottom Road, and the County had received a letter in response. Mr. Hanson then said that he had met with the County Commission concerning the proposed changes to the accessory building section of the ordinance. He said the Commissioners were in favor of the changes after he reviewed the ordinance with them. Discussion then followed concerning agricultural buildings which the State has exempted from purchasing a building permit, and possibly requiring a no-cost permit to be issued and signed off by the Zoning Administrator to ensure that proper zoning codes are met such as setbacks. Then the Commission discussed what constitutes an agricultural building. Zoning Administrator Hanson clarified that the State code exempts agricultural buildings from building permit provisions.

Mr. Hanson then said that he had a few inquiries about Conditional Use Permits. One for a salt warehouse/distribution center, one for a trap shooting location with a place for RV hook-ups, and another for a gravel pit in the Elsinore area. The Planning Commission asked for an update on the power plant, and Mr. Hanson said they are still waiting for an Air Quality Permit.

**Amendment to Jolley Subdivision approved:**

Ryan Savage, Savage Surveying, met with the Commission representing Dell and Sallee Jolley and their request for an amendment to the Jolley Subdivision. Discussion followed concerning the need for proof of ownership of all parcels involved, that the original subdivision had been vacated in the recent County Commission meeting, that there is a home on lot 1, that lot 1 is not adjacent to the road, that the turnaround pictured on the aerial view is not really what is shown on the plat, that the parcels are not in the flood plain according to the maps, that the septic etc. was done during the first subdivision process, that there is a well on each parcel, that the well was just proved and is currently agricultural, that the well will be changed to domestic as soon as the house is built, the amount of area required for the well source protection zone, that they have enough room to ensure that there is a well protection area, and whether or not all of the property

owners in the subdivision need to be included on the owners dedication section of the plat. After discussion, Evelyn Nielsen moved to approve the amendments to the Jolley Subdivision with the condition that the following information be submitted to the Zoning Administrator: proof of water rights, proof of ownership, a copy of recorded CC&R's, a copy of the letter from the Health Department approving the septic system, and change on the plat maps to include lot 1 owners in owner's dedication, second Ralph Brown, unanimous.

**Public Hearing for and approval of amendments to Section 14.68 Accessory Dwelling Units or Structures:**

A public hearing to consider amending Sevier County Ordinance 14.68 Accessory Dwellings or Structures was then held. Chairman Worley requested Zoning Administrator Hanson to review the reasons for the changes, and the information shared with the County Commission. Zoning Administrator Hanson said he had explained the changes to the County Commission and noted that all Conditional Use Permits would have to be recorded so that all subsequent property owners would be aware. Chairman Worley then opened the meeting for comments from the public. There were no comments. After review and discussion, Evelyn Nielsen moved to approve the recommended amendments to the ordinance and refer the matter to the County Commission, second Ralph Brown, unanimous.

There was then some additional discussion regarding the ability to require permit applications for agricultural buildings, and how to implement that. Zoning Administrator Hanson said he will request a resolution from the County Commissioners requiring permits on all buildings, and if the proposed building is truly an agricultural structure, then the State code will apply and a fee will not be charged. The Planning Commission requested that once the resolution passes, it not only be put in the newspaper, but on the radio and facebook, etc. as well.

**Worksession regarding amendments to the Conditional Use portion of the ordinance:**

The Commission then reviewed recommended changes to the Conditional Use Permit section of the Sevier County Code. Discussion followed concerning requiring time limits and completion dates, whether or not a bond can be required, that substantial progress is currently required in the code, perhaps requiring an additional fee if there is no substantial improvement within a year, whether or not to include fire protection and fencing under the approval criteria, whether or not any of the conditions needed to be more specific, how specific the ordinance needs to be, whether or not something should be included for canals and water, what the suggested changes are based on, that the land use authority refers to the Administrator or Planning Commission or County Commission depending on the ordinance, that the applicant can appeal to the next level of authority if they are not pleased with the answer, that fencing could fall under safeguards or safety, that the County Attorney should review the proposals prior to the public hearing, where the levels are listed in the code, and requested changes to the levels that are currently listed. The Planning Commission requested the following to be changed to L2: bed and breakfasts, processing packaging and warehousing, funeral homes and chapels, radio and cell towers, mining, gun ranges, motor cycle tracks, and perhaps billboards. The Planning Commission requested that Vet Clinic should be deleted because it is the same as an Animal Hospital. Discussion followed concerning whether or not to add reservoirs or railroads to the grid, and what the County requires on the foundation of cell towers and wind towers. The Planning

Sevier County Planning Commission Meeting

September 11, 2013

Page 3 of 3

Commission asked that a public hearing for these amendments be placed on the agenda for next month, and that Zoning Administrator Hanson get the changes reviewed by County Attorney Dale Eyre.

Meeting adjourned at 7:17 pm