

MINUTES

Eastern Summit County Planning Commission

REGULAR MEETING
THURSDAY, FEBRUARY 7, 2019
SOUTH SUMMIT COUNTY SERVICES BUILDING
110 NORTH MAIN STREET
KAMAS, UT 84036

COMMISSIONERS PRESENT:

Amy Rydalch

Bill Wilde

Rich Sonntag

Regrets: Tonja Hanson

Marion Wheaton

Don Sargent

Tom Clyde

STAFF PRESENT:

Helen Strachan–*County Attorney*

Ray Milliner–*Principal Planner*

Katy Staley–*Secretary*

REGULAR SESSION

Chair Clyde called the meeting of the Eastern Summit County Planning Commission to order at 6:00 PM and introduced Staff.

- 1. Pledge of Allegiance**
- 2. Public input for items not on the agenda or pending applications.**

There was no public comment.

- 3. Public hearing and possible action regarding a Conditional Use Permit for an Event Center within an approximately 4,000 square foot accessory building; 3158 West 5000 North, Peoa, Utah; CD-74; Gary Urban, applicant.** – *Ray Milliner, Principal Planner*

Planner Milliner shared the background of the application. This application is for conversion of a 4,000 square foot barn into an event center. The building is located in a field off Wooden Shoe Lane. The access road, rendering and site plan were shown. The event center would be used for weddings, corporate events and fundraisers. The Building Department will set capacity at their review of the project, but capacity will be around 100

people. Conditions of approval include time limits for outdoor noise, the barn will meet building requirements, there will be no disturbance of wetlands or the Weber River corridor, road must be maintained and meet all Engineering standards. The first 500 yards of the road is County, with the rest being a private easement. There are buildable parcels along the road, with only one being affected by the permit.

The applicant, **Gary Urban** stated there is a letter in the Staff Report from them. This event center is not like High Star. People have been asking to get married in the barn, and the plan is only a wedding every other week. There have always been events done in Peoa. The music will not be any louder than the concerts in the Wooden Shoe Arena. The applicant wants to be a good neighbor. The County contacted the applicant to let them know they needed an event permit, then a residential business license and then a commercial business license and a Conditional Use Permit. There are no plans for a kitchen and do not plan on having larger events. The applicant brought a signed letter from Thayne Stenbridge stating he has no problem with the event center.

The Public hearing was opened.

Kathy Welsh lives on Wooden Shoe lane and stated her concerns and asked if the zoning would change from farming/residential to commercial. What other commercial will come next? Will storage units be put in because they can? The applicant's home is built near the wetlands and the sewage is close to the Weber River and Ms. Welsh is concerned with seepage and the effect on the environment.

Ellen Thompson lives close to the area and stated the park was platted in the 1860s and belongs to the people of Peoa, who have invested in the arena to make it something nice.

The Peoa Park Association also takes care of the surrounding parcels. Ms. Thompson is concerned that the road may not be wide enough for two cars to pass each other. Marchant Lane has not been kept up or repaired and Y Lane (1500) has not had as much improvement as Marchant Lane. The easement is 32.5 feet and a standard road is 20 feet. There is a lot more traffic than there used to be. This is an agriculture area and the public does not respect the land, so there is concern with opening up the area to more public.

Lloyd Marchant lives on the property to the north and stated there is a need to protect the family interest. Bob Wright owns the property to the south of the applicant, which Mr. Marchant leases. The biggest concern is water. There is a stream that goes through the field that went dry this last summer, which has not happened before. Another concern is with the road not meeting standards for commercial use. The Planning Commission approved the Blue Sky road, which is not appropriate for commercial use. Another concern is with the sewage. The Health Department has stated that the advanced septic system is appropriate for the use. The applicant has indicated that portable restrooms will be used for events. That will be added as a Condition of Approval. Mr. Marchant has rented the southern property for 15 years and the river comes up high on the property. Flood plains are a concern. Code states that Conditional Uses are uses permitted if they ensure the use is compatible with surrounding land uses. Conditional uses that cannot meet the evaluation standards at a certain location shall not be approved at that location. Mr. Marchant encouraged the Planning Commission to review Chapters 2 and 11 of the Code. The barn is an agricultural building and the use is being changed. Please consider the life-long residents and the impact to their properties.

Bruce Alder owns the property at the end of Wooden Shoe and bemoans the changes that have been made in Peoa. The applicant's proposed changes are for a wedding venue. A lot of friends have asked Mr. Alder if they can get married on his property. The access is similar to the applicant's, without a lot of people coming and going. This is a good opportunity to show people the beautiful scenery. There have been other weddings in the area as well. Mr. Alder believes that he and the applicant have the same concerns with the preservation of property and maintaining the fish and wildlife habitat. The interests of Mr. Alder and the applicant are to take care of the property and the neighborhood. The applicant has no water diversion rights. Mr. Alder is in favor of the proposal.

The Public hearing was closed.

Commissioner Wheaton asked if there are conditions on the types of events that can be held. There could be a Condition of Approval to limit events but it would be difficult to enforce. It is easier to include conditions for numbers of people.

Chair Clyde stated his concern is that a Conditional Use Permit is very general and runs with the land. If this is approved, there should be very specific conditions including number of people, frequency of events, types of events, and a description to condition impact. No camping, bringing in portable restrooms, no outdoor fires, and regulated parking should also be conditions. Events should not be held consecutively.

The definition of an event center was read.

Gary Urban stated that there will only be a handful of weddings held and there is only one other event planned for Wounded Warriors.

Commissioner Sargent asked what the existing permit is that was granted for the barn.

There is a Conditional Use Permit for a barn, approved as storage. **Gary Urban** stated this is not a change of use, but an additional use. **Commissioner Sargent** stated that additional Conditions of Approval should be addressed now, including the building permit requirements and engineering requirements for the road to be included in the Staff Report. The fire pullouts for the road were addressed last year. A Conditional Use is an allowed use with reasonable mitigations. The Planning Commission needs to know if the requirements of the Building permit and other departments can be met before issuing a Conditional Use Permit.

Gary Urban stated that he would not like more than three events a month and there will not be events in the winter because there is no parking during the winter.

Attorney Strachan stated that the Conditional Use Permit cannot be limited to this landowner, but runs with the land. The owner can abandon the use by writing a letter to the County, but the County cannot force the landowner to abandon the use. The use is for an event center and will not change to a commercial zone and will not allow for the building of storage sheds.

Commissioner Wilde stated that people are currently having weddings on their property in the same neighborhood without having a Conditional Use Permit. The difference is that the applicant is charging for the venue, making it a commercial use. There is a noise ordinance that limits certain activities.

Commissioner Sonntag made a motion to continue the Public hearing to the next available meeting pending additions to the Conditions of Approval. Commissioner Wheaton seconded the motion.

- **MOTION CARRIED (6-0)**

4. Approval of Minutes: June 28, 2018; July 19, 2018; December 6, 2018

Commissioner Wilde made a motion to approve the minutes of June 28, 2018 as written. Commissioner Wheaton seconded the motion.

- **MOTION CARRIED (3-0)** Commissioners Rydalch, Sonntag and Sargent were absent from that meeting.

Commissioner Rydalch made a motion to approve the minutes of July 19, 2018 with changes. Commissioner Wheaton seconded the motion.

- **MOTION CARRIED (6-0)**

Commissioner Sonntag made a motion to approve the minutes of December 6, 2018 as written. Commissioner Sargent seconded the motion.

- **MOTION CARRIED (6-0)**

Director Items

The Planning Commission will be getting I-Pads because the County is going paperless.

There will be a joint meeting with the County Council on February 20, 2019 at 6:30pm in Coalville.

The Planning Commission members need to complete the Open Meetings Act training, which is available on a video.

The County email system is requiring password changes because the system is getting hacked.

The March 7, 2019 meeting will be canceled.

The February 21, 2019 meeting only has the continuation of tonight's CUP on the agenda and that meeting may be canceled.

ADJOURN

At 7:10 p.m. the meeting adjourned.

A handwritten signature in cursive script, appearing to read "Tom Clyde".

Approval Signature