

MINUTES

Eastern Summit County Planning Commission

REGULAR MEETING
THURSDAY, AUGUST 1, 2019
SOUTH SUMMIT COUNTY SERVICES BUILDING
110 NORTH MAIN STREET
KAMAS, UT 84036

COMMISSIONERS PRESENT:

Tom Clyde	Rich Sonntag
Amy Rydalch	Don Sargent
Bill Wilde	Clint Benson

Regrets: Marion Wheaton

STAFF PRESENT:

Helen Strachan– <i>County Attorney</i>	Katy Staley- <i>Secretary</i>
Kirsten Whetstone – <i>County Planner</i>	Sean Lewis- <i>County Planner</i>

REGULAR SESSION

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

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

Chris Ure stated that something needs to be done in Eastern Summit County to keep people from thinking they can build and provide no infrastructure for roads except what the County already provides. There is a 70-unit subdivision going in, and Tuhaye with another 300 units. Summit County roads cannot handle that kind of traffic. Summit County should not have to foot the bill for all the damages occurring on the roads due to municipality's or other development's traffic. The Planning Commission and other organizations should have a voice at the table concerning roads and development. A lot of traffic goes through Mr. Ure's road and it is getting out of hand. The speed limit is 25 mph,

but drivers go much faster than that. There was a road proposed as a top priority seven to eight years ago.

Chair Clyde replied that there was a traffic Master Plan that showed County roads could handle traffic as long as there was no significant increase in density. Then the East side Code was amended to double the density and did not account for the density in the municipalities. **Chris Ure** stated that the density within the County has not been a problem, but the problem is with Francis and other municipalities.

Mr. Ure continued stating that being on the Planning Commission is a thankless job. There have been rumors that people would sooner go to the municipalities to be annexed in because the Planning Commission is dragging their feet on making decisions. The Planning Commission does not need to rubber stamp everything, but they do need to try to get through applications as quickly as possible. People are discouraged trying to work with Summit County and are blaming the Planning Commission.

There should be a way to have some authority to stop Wasatch County and the municipalities from dumping their traffic problems on Summit County. County roads cannot handle traffic of other places and Summit County residents should not have to foot the bill to maintain the roads.

Chair Clyde stated that Planning Staff is at the Hideout Planning Commission meeting where annexation of some Summit County acreage is being discussed.

3. Public hearing and possible action regarding a proposal to amend an existing Conditional Use Permit to add a total of 15 additional storage units (4875 sq ft) to the west side of three existing storage unit buildings; Parcel CD-684-10; 5454 Weber Canyon Road; Fred Healey, applicant. – *Kirsten Whetstone, County Planner*

Planner Lewis shared the background of the application. Pine Valley Storage has had two Conditional Use Permits issued on the site for storage units in the past and continues to want to expand. This current application is to expand four of the six buildings on the site, for an additional storage space of 4875 square feet. Storage units would not normally be allowed in this zone per the new zoning and are considered a non-conforming use, but the applicant has current Conditional Use permits that have been in place since the 1970s and are considered grandfathered as a non-conforming use. The current application is an expansion of a non-conforming use via the Conditional Use process and complies with those standards.

The applicant has had some compliance issues in the past regarding outdoor storage, which is limited by the previous Conditional Use permits. Some of the outdoor storage is happening within the applicant's storage site and they are working to remedy that. There is a neighboring property where trailers are being parked and it is difficult to differentiate which outdoor storage is on the applicant's property and which is on the neighboring property. Without a Conditional Use permit (CUP) on the neighboring site, there is no way to regulate outdoor storage on the neighboring property.

Staff is also working with the applicant to bring the site into compliance with the new Eastern Summit County lighting standards and dark sky provisions. Now that the applicant has resolved the stated issues, Staff is recommending approval of this application.

Tyler Mock, representing the applicant stated that the lights have been completely turned off until the lighting is in compliance. Any outdoor storage that has been on the applicant's

property has been removed. **Planner Lewis** stated that expansion of the CUP should remedy the outdoor storage concerns.

Commissioner Sargent clarified that the process of expanding a non-conforming use is usually a low impact permit. Since there is a CUP already in place, the CUP is being expanded. There is a concern that a precedent may be set to apply for a CUP with other non-conforming uses rather than a low impact permit. A CUP is a more rigorous review, so Staff does not feel applicants would choose that process.

Staff recommended that the applicant conform to the new lighting standards since other storage facilities had inappropriate lighting. A new permit or amortization would trigger the new lighting standards. Staff will follow-up with the applicant to make sure the standards are being met during construction. Code Enforcement will talk to the neighboring property owners about the outdoor storage and parking.

The Public hearing was opened.

David Olsen lives just south of the applicant and is not opposed to the proposed additions. At the Weber Canyon property owner's meeting a couple years ago, the property owners were told that lighting on the storage unit property needed to be indirect and that landscaping around the facility was required. Those requirements do not seem to have been met. It is not fair to continue to develop when the applicant has not lived up to their commitment with the first CUP. Those two items should be rectified. Mr. Olsen has put in his own trees and other property owners have stated that the lighting is a concern. What will be done to enforce the CUP requirements? **Planner Lewis** stated that Code

Enforcement has been at the site at least once a week for months. The lights have been completely off since February. The lighting complaint could be from the neighboring property. The lighting standards were explained. The new lighting for the applicant's storage facility will be compliant and Staff will verify compliance.

The last CUP did not have a landscaping requirement in the Conditions of Approval and Eastern Summit County has never had a landscaping requirement. Wall screening was also not a requirement.

Mr. Olsen is trying to make sure that requirements are enforced and thought that parking on the water company's lot was permissible. Some screening on Targhee Drive and Weber Canyon Road would be appreciated. The Pine Mountain HOA covenants state that trailers cannot be parked on cabin lots and the water company land has been the solution. Some parking should be granted as the need for trailers has grown. **Planner Lewis**

acknowledged the need, but the water company should be required to go through the appropriate process just like the applicant. Outdoor storage is a non-conforming use in this zone.

Fred Healey, the owner of the storage facility stated he is willing to put in screening. Trees have been planted in the past, but snow removal destroyed those trees. The applicant will work to get landscaping put in on Targhee Drive and Weber Canyon Road and is willing to have it as a Condition of Approval.

The Public hearing was closed.

Commissioner Benson stated his concern that there be cameras to help prevent any break-ins as there have been at other storage units in the county. The applicant replied that there are cameras that are not currently working with the lighting turned off. The applicant is working to get the correct lighting put in.

Commissioner Sargent suggested another way to help negate the visual impact is to utilize appropriate colors and materials of the buildings. The applicant is planning to have the buildings be a more appropriate color once the additions are done. An additional Condition of Approval for the approval of the CUP should be, "Landscape screening shall be installed along Targhee Drive and Weber Canyon Road in a natural design and configuration as presented by a landscape architect and approved by Staff at the time of the building permit application."

Commissioner Sonntag made a motion to approve the amendment to the existing Conditional Use Permit according to the Findings of Fact, Conclusions of Law and Conditions of Approval in the Staff Report, with the additional Condition of Approval that a landscape plan, prepared by a landscape architect, shall be submitted with the building permit application. The landscaping shall consist of native plantings consistent with the natural vegetation of Weber Canyon and shall be planted along Weber Canyon Road and Targhee Drive. Commissioner Benson seconded the motion.

- **MOTION CARRIED (4-2) Chair Clyde was opposed stating that the expansion of a non-conforming use is not appropriate. Commissioner Wilde was opposed stating that he does not agree with the additional Condition of Approval that requires landscaping.**

4. Approval of Minutes February 7, 2019

Minutes were tabled until the next meeting as the Planning Commission members did not get a chance to review them before the meeting. The Planning Commission has requested that a link to the minutes be included in the email with the Agenda.

Commission Items

Most Planning Staff are attending the Hideout town Planning Commission meeting concerning an annexation declaration that would include parts of Summit County. The County is allowed to protest an annexation declaration but has attended to share input.

Chair Clyde gave an update about the proposed Cedar Crest Village Overlay. The committee has been meeting every two weeks to review general plans. The final result will probably look like a Development Agreement. Cedar Crest is a very large project and the landowners seem to be getting along. The direction of the project is building a town rather than building a subdivision. There is a need to get a handle on the costs.

Commissioner Benson asked how far along the County Infrastructure study is. **Planner Whetstone** answered that they should be looking for drafts of parts of the study soon and will ask Director Putt to give an update.

Commissioner Rydalch asked if the County has recourse for the road concerns that were brought up by Chris Ure. **Planner Lewis** answered that regional planning should be done and is ideal, but there are no laws or provisions to negate road concerns. Unless there is some major obstacle the municipalities are free to do what they want. **Commissioner Wilde** stated that the County has pushed density into the municipalities.

Commissioner Sargent stated that he does not think the Eastern Summit Planning Commission is inefficient in their planning reviews as has been suggested. **Commissioner Rydalch** is proud of the due-diligence of the Planning Commission.

ADJOURN

At 7:12 p.m. Commissioners Sonntag and Rydalch made the motion to adjourn the meeting.

A handwritten signature in black ink, appearing to read "Tom Clyde". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Approval Signature