

**Planning Commission Meeting
County Administration Building - Duchesne, UT
October 5, 2022**

In Attendance were:

Gary Sorensen, Planning Commission Chairman
Connie Sweat, Planning Commissioner
Bobby Drake, Planning Commissioner
Ken Richens, Planning Commissioner
Jenny Giles, Planning Commissioner
Shilo Hatch, Planning Commissioner

Mike Hyde, Community Development Administrator
Mike Gottfredson, Assistant Community Development
Becky Broadhead, Executive Secretary of Community Development

Visitors

Kelly Enniss
Jacqueline Enniss

Agenda Item

B – Kevin Fisher Short Term Rental
B – Kevin Fisher Short Term Rental

Chairman Sorensen opened the meeting at 5:05pm and read the Rules of Order. He asked if any of the Commission Members had any ex-parte contacts or conflicts of interest associated with any item on the agenda. There were none so the meeting proceeded.

Visitors Kelly & Jacqueline Enniss raised their hands in the audience to address Chairman Sorensen. They were called upon by the Chairman. They had not heard that the Kevin Fisher Short Term Rental Hearing would be recessed until November 2, 2022. They wanted it noted they were here today in opposition to the shooting range proposed with the Kevin Fisher Short Term Rental. They stated that they had no problem with the short term rental part of the CUP, but they were against the proposed shooting range part of it.

Public Hearings

- A. Request by Trenton Weekes for a Conditional Use Permit to establish a Gunsmith Shop at 2136 South State Street in the Roosevelt area.

Mike Gottfredson presented the Findings of Fact for the Trenton Weekes Gunsmith Shop. (Trenton Weekes was not present due to a family emergency.) Mr. Gottfredson explained to the Planning Commission that Trenton Weekes' Gunsmith Shop will be located at the back of his property behind his house.

Commissioner Drake asked Mr. Gottfredson how wide the driveway was that people access to get to the gunsmith shop in the back of Trenton Weekes' house? Mr. Gottfredson stated that the driveway is 16' wide and is a driveway that goes from the front of the house along the side of the fenced house and goes on to the back of the property where the gunsmith shop will be located. Mr. Gottfredson also stated that Trenton Weekes doesn't expect much vehicle traffic as he sends out most of his gunsmith work from his place of business. The traffic that will happen will be minimal and will only happen from time to time.

FINDINGS OF FACT

1. PROPOSAL DESCRIPTION

The applicant is proposing to operate a part-time gunsmith business at a shop on his property in the Roosevelt area. The property is zoned R-1 due to the presence of a culinary water connection. Home occupations involving firearms services are allowed in the R-1 zone with a Conditional Use Permit.

2. HISTORY OF EVENTS

July 22, 2022	The application was submitted.
July 22, 2022	The application was deemed complete.
September 19, 2022	Notice mailed to property owners within 300 feet of the subject property.
September 21 & 28, 2022	Notice of Public Hearing published in Uintah Basin Standard
October 5, 2022	Planning Commission hearing.

3. DUCHESNE COUNTY ZONING CODE

8-13-1: SCOPE AND PURPOSE:

A. Issuance: Conditional use permits may be issued as provided by this title for any of the uses for which a conditional use permit is required as identified in the table of uses and the table of site development standards, as set forth in Chapter 6 of this title.

B. Purpose: The purpose of the issuance of a conditional use permit is to allow the proper integration into the county of uses which may be suitable only in specific locations in a zoning district, or only if such uses are designed, arranged or conducted on the site in a particular manner.

C. Conditions: A conditional use permit shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed land use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use permit may be denied.

8-13-2: APPLICATION FOR PERMIT:

All requests for a conditional use permit shall be made on the application form provided by the county, detailing the nature of the conditional use request. The applicant shall also provide the necessary information identifying the purpose of the conditional use request, and all required information shall be provided to the planning office twenty one (21) days prior to the planning commission meeting. The planning commission is authorized to render a final decision on the issuance of a JMB Gunworks-Trenton Weekes CUP (conditional use permit) following the review and receipt of a recommendation from the zoning administrator.

8-13-3: PUBLIC HEARING REQUIRED:

All applications for a conditional use permit shall be made in accordance with the provisions of this title, and shall be the subject of a public hearing held before the planning commission for which a minimum of fourteen (14) days' public notice has been provided and the planning staff notifying all property owners by U.S. mail within three hundred feet (300') of the proposed conditional use.

8-13-4: FINDINGS AND CONDITIONS FOR APPROVAL:

A. Findings Required: The planning commission may grant a conditional use permit in compliance with this title if, from the application and the facts presented at the public hearing, it finds:

1. The proposed use at the proposed location will not be unduly detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety or general welfare.

Findings: Firearms can be a public safety issue if not handled properly. However, the proposed gunsmith shop does not propose to handle or manufacture ammunition of any sort; nor does it propose to test firearms of any kind using ammunition on site. Activities will occur in a secured shop. This security includes a locking metal door with reinforced frame; lockable windows; and a security system, featuring sensors, alarms, and a camera. The applicant intends to comply with all requirements of the Bureau of Alcohol, Tobacco, and Firearms.

2. The proposed use will be located and conducted in compliance with the goals and policies of the county general plan and the purposes of this title.

Findings: The Duchesne County General Plan states that future growth and development decisions should be made with sensitivity to rural residential and agricultural interests. The plan indicates that the county wishes to encourage business activity and support efforts to recruit new businesses, retain existing businesses and assist with the expansion of existing businesses. The proposal complies with this section of the general plan as a new business would be supported.

The purposes of the Zoning Ordinance are set forth below:

8-1-2: PURPOSE:

A. The purpose of this title is to implement the goals and policies of the county general plan. This title contains standards, provisions and requirements intended to protect the health, safety and welfare of the citizens of the county by ensuring that neighbors, adjacent and neighboring properties are protected from potential negative impacts in the development and use of land and resources. It is the intent of this title to provide a means of ensuring predictability and consistency in the use of land and individual properties, and to guide and direct the development of land.

B. These purposes are met by:

1. Providing the means of implementing the various policies and other provisions of the county general plan;

2. Generally directing and guiding land development so more intense development is located in areas of the county having the necessary services and facilities sufficient to meet the demands of the proposed development;
3. Promoting the public health, safety and general welfare by regulating the location and use of buildings, structures and land for residential, commercial and other specified uses;
4. Protecting landowners from potential adverse impacts from adjoining uses; and
5. Directing and managing, through the establishment of use districts, the type, distribution and intensity of activity.

Findings: If the applicant meets the Conditional Use permit criteria and complies with the conditions of approval, the purposes of the Zoning Ordinance will be met.

3. That the property on which the use, building or other structure is proposed is of adequate size and dimensions to permit the conduct of the use in such a manner that will not be materially detrimental to adjoining and surrounding properties.

Findings: The subject property is 1.03 acres in size and contains an existing shed, half of which would be used for the proposed business. The parcel is sufficiently large, the existing structure will accommodate the proposed activity, and both, together, will permit the business to operate in a manner that is not detrimental to surrounding property owners.

B. Conditions:

1. In approving a conditional use permit, the planning commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of the county general plan and to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses in the general vicinity. Minimum conditions shall be included for produced water disposal facilities, extraction of earth products and residential treatment or secure treatment facilities as indicated in section 8-13-5 of this chapter.

2. When approving a conditional use permit, the planning commission may impose such requirements and conditions as follows: location, construction, maintenance, odor control, operation, site planning, traffic control, dust control, noise, time limits and other items for the conditional use permit as deemed necessary for the protection of adjacent properties and the public interest. The planning commission may require guarantees or other evidence that such conditions will be met and complied with.

8-13-5-5: ADDITIONAL CONDITIONS SPECIFIED:

These conditions may include:

- A. Landscaping, Design: That the site will be suitably landscaped and maintained and that the design, setbacks, fences, walls and buffers of all buildings and other structures are adequate to protect property and preserve and/or enhance the appearance and character of the area.

Findings: Since there will be no significant outdoor storage of equipment or other materials associated with the business, there is no justification for requiring fencing or buffers. There is an existing fence running the perimeter of property.

B. Parking: Provisions of parking facilities, including vehicular ingress and egress, loading and unloading areas and the surfacing of parking areas and driveways to specified standards.

Findings: There is safe public access to the site from State Street. Deliveries will be received via standard UPS-Fed Ex sized trucks to the home. There is good sight distance at the driveway entrance. There is sufficient parking area on the property near the home for one to two customers, as anticipated. Most of the business is done by phone or online, which minimizes customer traffic to the home.

C. Streets, Water, Sewer, Fire Protection: The provision of required street and highway dedication and improvements, and adequate water supply, sewage disposal and fire protection.

Findings

Roads: The property is accessed from State Street, south of Roosevelt. State Street is a paved, County road.

Water: The property receives water from the Johnson Water Improvement District. The proposed business will have a very minimal impact on water usage at the property.

Sewer: The property has an onsite wastewater disposal system. The proposed business will have no impact on the amount of sewage generated at the property as no public restroom facilities will be offered.

Fire: The nearest fire hydrant is located 645' to the north on State Street.

D. Signs: Regulation of signs.

Findings: The applicant has no sign plans at this time and has no desire to try attracting the attention of drivers on Highway 40. If a sign were to be installed in the future, it must be limited to that normally permitted for home occupations: two square feet in size, nonilluminated and flush-wall mounted to the residence or the shop building.

E. **Nuisances:** The mitigation of nuisance factors, such as noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances and radiation.

Findings: This business is not anticipated to generate significant amounts of noise. The Duchesne County Nuisance Ordinance allows noise between the hours of 7:00 A.M and 9:30 P.M. on weekdays, 8:00 A.M. to 9:30 P.M. on Saturdays and 9:00 A.M. to 9:30 P.M. on Sundays. Conditions should be considered to ensure that noise, which could disturb others, does not occur earlier or later than these allowed times.

F. **Operating Hours:** The regulation of operating hours for activities affecting normal schedules and functions.

Findings: The applicant states that business hours will be Monday through Friday, between 7:00 AM and 9:30 PM, although the total number of hours would be 20 per week.

8-13-6: TERM OF PERMIT:

Unless there is substantial action under a conditional use permit within a period of eighteen (18) months of its issuance, the permit shall be considered null and void.

8-13-7: REVOCATION OR MODIFICATION OF PERMIT:

A. Authority: If there is cause to believe that grounds exist for revocation or modification of an approved conditional use permit, the planning commission shall hold a public hearing on the question of modification or revocation of a conditional use permit granted under the terms and the provisions of this title.

B. Conditions: A conditional use permit may be modified or revoked if the planning commission finds that one or more of the following conditions exist:

1. The conditional use permit was obtained in a fraudulent manner.
2. The use for which the conditional use permit was granted has now ceased for at least six (6) consecutive calendar months.
3. One or more of the conditions of the conditional use permit have not been met.

C. Modification by Planning Commission: Additionally, the conditions under which a conditional use permit was originally approved may be modified by the planning commission without the consent of the property owner or operator, if the planning commission finds that the use or related development constitutes or is creating a demonstrated nuisance. Should reclamation be necessary, complete restoration, to such an extent that the area will not depreciate the surrounding property or impair the beauty of the landscape, shall be accomplished within a twelve (12) month time frame.

CONCLUSIONS

1. The request will comply with the Conditional Use Permit requirements of the Duchesne County Zoning Code, provided that conditions are imposed.
2. The request is valid.

RECOMMENDATION

Recommended Motion: I move that the Planning Commission approve the Conditional Use Permit requested by Trenton Weeks, on behalf of JMB Gunworks, subject to the following conditions:

1. Ammunition will not be used as part of business activity at this location.
2. Outdoor storage associated with the business shall be minimized and temporary.
3. Any business sign shall not exceed two square feet in size, shall be flush-wall mounted to the home or shop and be non-illuminated.
4. Applicant will maintain a current business license with Duchesne County.
5. Applicant shall comply with all requirements of the Bureau of Alcohol, Tobacco, & Firearms.

Commissioner Sorensen asked if there are any persons who would like to speak? There was no opposition since there were no visitors for this request.

Bobby Drake moved to adopt the Finding of fact and conclusions of law and approve the Trenton Weekes Conditional Use Permit to establish a gunsmith shop, subject to the conditions recommended by staff.

Ken Richens seconded the motion. The vote was unanimous.

B. Request by Kevin Fisher of Fisher Rental Management LLC for a Conditional Use Permit to operate a short-term rental at 4072 North County Road 274, in the Tabiona area (the applicant has requested that the public hearing be opened and recessed to November 2, 2022).

Commissioner Sweat moved that the public hearing be opened and recessed to November 2, 2022.

Commissioner Drake seconded the motion. The vote was unanimous.

C. Request by Matthew Happe of T&Z LLC for a Conditional Use Permit to operate a short-term rental at 23197 West 8230 South in the Duchesne area.

After the public hearing was opened, Mr. Gottfredson presented the staff recommendation.

FINDINGS OF FACT

1. PROPOSAL DESCRIPTION

T&Z LLC, is proposing to operate a short-term rental at their cabin on their property in the Strawberry Hills Estates subdivision, near Duchesne. Short term rentals fall within the definition of a "Resort Lodge," [*A facility, including either a single building or resort cabins, which serves as a destination point for visitors, and generally has accessory recreational facilities for the use of guests. Guest residency is limited to no more than ninety (90) days*]. Resort Lodges, including short term rentals, are allowed in the R-1 zone with a conditional use permit.

2. HISTORY OF EVENTS

August 29, 2022	The application was submitted.
September 13, 2022	The application was deemed complete.
September 16, 2022	Notice mailed to property owners within 300 feet of the subject property.
September 21 & 28, 2022	Notice of Public Hearing published in Uintah Basin Standard
October 5, 2022	Planning Commission hearing.

3. DUCHESNE COUNTY ZONING CODE

8-13-1: SCOPE AND PURPOSE:

- A. Issuance: Conditional use permits may be issued as provided by this title for any of the uses for which a conditional use permit is required as identified in the table of uses and the table of site development standards, as set forth in Chapter 6 of this title.
- B. Purpose: The purpose of the issuance of a conditional use permit is to allow the proper integration into the county of uses which may be suitable only in specific locations in a zoning district, or only if such uses are designed, arranged or conducted on the site in a particular manner.
- C. Conditions: A conditional use permit shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed land use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use permit may be denied.

8-13-2: APPLICATION FOR PERMIT:

All requests for a conditional use permit shall be made on the application form provided by the county, detailing the nature of the conditional use request. The applicant shall also provide the necessary information identifying the purpose of the conditional use request, and all required information shall be provided to the planning office twenty-one (21) days prior to the planning commission meeting. The planning commission is authorized to render a final decision on the issuance of a conditional use permit following the review and receipt of a recommendation from the zoning administrator.

8-13-3: PUBLIC HEARING REQUIRED:

All applications for a conditional use permit shall be made in accordance with the provisions of this title, and shall be the subject of a public hearing held before the planning commission for which a minimum of fourteen (14) days' public notice has been provided and the planning staff notifying all property owners by U.S. mail within three hundred feet (300') of the proposed conditional use.

8-13-4: FINDINGS AND CONDITIONS FOR APPROVAL:

- A. Findings Required: The planning commission may grant a conditional use permit in compliance with this title if, from the application and the facts presented at the public hearing, it finds:
 - 1. The proposed use at the proposed location will not be unduly detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, or general welfare.

Findings: No activities proposed as part of this application are deemed to be detrimental to the general public health, safety, or general welfare. The applicant specifically prohibits the use of firearms on their property. Appropriate water and wastewater facilities are in place.

2. The proposed use will be located and conducted in compliance with the goals and policies of the county general plan and the purposes of this title.

Findings: The Duchesne County General Plan states that future growth and development decisions should be made with sensitivity to rural residential and agricultural interests. The plan indicates that the county wishes to encourage business activity and support efforts to recruit new businesses, retain existing businesses and assist with the expansion of existing businesses. The proposal complies with this section of the General Plan as a new business would be supported and more recreational opportunities provided in a manner that does not impact rural residential and agricultural interests.

The purposes of the Zoning Ordinance are set forth below:

8-1-2: PURPOSE:

- A. The purpose of this title is to implement the goals and policies of the county general plan. This title contains standards, provisions and requirements intended to protect the health, safety and welfare of the citizens of the county by ensuring that neighbors, adjacent and neighboring properties are protected from potential negative impacts in the development and use of land and resources. It is the intent of this title to provide a means of ensuring predictability and consistency in the use of land and individual properties, and to guide and direct the development of land.

B. These purposes are met by:

1. Providing the means of implementing the various policies and other provisions of the county general plan;
2. Generally directing and guiding land development so more intense development is located in areas of the county having the necessary services and facilities sufficient to meet the demands of the proposed development;
3. Promoting the public health, safety and general welfare by regulating the location and use of buildings, structures and land for residential, commercial and other specified uses;
4. Protecting landowners from potential adverse impacts from adjoining uses; and
5. Directing and managing, through the establishment of use districts, the type, distribution and intensity of activity.

Findings: If the applicant meets the conditional use permit criteria and complies with the conditions of approval, the purposes of the Zoning Ordinance will be met.

3. That the property on which the use, building, or other structure is proposed is of adequate size and dimensions to permit the conduct of the use in such a manner that will not be materially detrimental to adjoining and surrounding properties.

Findings: The property is zoned R-1 [due to the Duchesne City water connection]; short-term rentals [a type of Resort Lodge] are allowed in the R-1 zoning district with a conditional use permit.

The subject property is 5.00 acres in size and includes a secondary residence (cabin) built in 2018. The cabin has three (3) bedrooms and two (2) bathrooms, and is the only structure being considered for short-term rental. The parcel is sufficiently large, the cabin will accommodate the proposed activity and will permit the business to operate in a manner that is not detrimental to surrounding property owners; provided that noise is controlled pursuant to the Duchesne County Nuisance Ordinance and trespass is discouraged. The nearest dwelling is located 550 feet to the south. Lands to the west are owned by the Bureau of Reclamation as part of the Starvation Reservoir.

B. Conditions:

1. In approving a conditional use permit, the planning commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of the county general plan and to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses in the general vicinity. Minimum conditions shall be included for produced water disposal facilities, extraction of earth products and residential treatment or secure treatment facilities as indicated in section 8-13-5 of this chapter.
2. When approving a conditional use permit, the planning commission may impose such requirements and conditions as follows: location, construction, maintenance, odor control, operation, site planning, traffic control, dust control, noise, time limits and other items for the conditional use permit as deemed necessary for the protection of adjacent properties and the public interest. The planning commission may require guarantees or other evidence that such conditions will be met and complied with.

8-13-5-5: ADDITIONAL CONDITIONS SPECIFIED:

These conditions may include:

- A. Landscaping, Design: That the site will be suitably landscaped and maintained and that the design, setbacks, fences, walls and buffers of all buildings and other structures are adequate to protect property and preserve and/or enhance the appearance and character of the area.

Findings: Property has a locked gate, and is fenced along 8230 S., and along the west boundary. Since there will be no outdoor storage of equipment or other materials associated with the short-term rental, there is no justification for requiring additional fencing or buffers. However, applicants should educate clients to not trespass onto properties in other ownerships.

- B. Parking: Provisions of parking facilities, including vehicular ingress and egress, loading and unloading areas and the surfacing of parking areas and driveways to specified standards.

Findings: There is safe public access to the property from 8230 S. The parking area is north of the home, is sufficient for up to four (4) vehicles, and is graveled.

C. Streets, Water, Sewer, Fire Protection: The provision of required street and highway dedication and improvements, and adequate water supply, sewage disposal and fire protection.

Findings:

Roads: The property is accessed from 8230 S., a County “D” road. 8230 S. connects directly to County Road 195, 0.50 miles to the east. County Road 195 accesses Highway 40 at the west end of Duchesne City.

Water: The property receives water from Duchesne City. The proposed short-term rental will have similar impact on water usage as a single-family dwelling (permitted at 3 bedrooms or 450 GPD).

Sewer: The property has an onsite wastewater disposal system, and is approved by Tri-County Health District (Permit # 2019-DUWW-0010).

Fire: Fireworks on premises are strictly forbidden by the applicant. The property and building meet Wildland Urban Interface (WUI) code requirements for defensible space. The building will meet R-3 Owner Occupied Lodging House and R-3 Boarding Transient House provided that certain smoke and CO detectors are provided (see Short Term Rental Restrictions for Single Family Dwellings attachment).

D. Signs: Regulation of signs.

Findings: The applicant does not desire to place a sign on the property.

E. Nuisances: The mitigation of nuisance factors, such as noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances and radiation.

Findings: This business is not anticipated to generate significant amounts of noise. The applicant proposes to instruct renters to respect adjacent property owners and not create noise problems. The Duchesne County Nuisance Ordinance allows noise between the hours of 7:00 A.M and 9:30 P.M. on weekdays, 8:00 A.M. to 9:30 P.M. on Saturdays, and 9:00 A.M. to 9:30 P.M. on Sundays. Conditions should be considered to ensure that noise, which could disturb others, does not occur earlier or later than these allowed times.

F. Operating Hours: The regulation of operating hours for activities affecting normal schedules and functions.

Findings: The applicant currently requires quiet hours from 9:00 P.M. to 7:00 A.M in their rental agreement. As indicated in the ADDITIONAL CONDITIONS SPECIFIED Section E, the applicant is required to follow the Duchesne County noise ordinance regulating operating business hours.

Applicant does not anticipate renting the cabin at their property for the majority of each year. Utah Code Section 17-50-337 defines “Short-term rental” as a residential unit or any portion of

a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days. Any operator of short-term rentals in the State of Utah must comply with this code.

8-13-6: TERM OF PERMIT:

Unless there is substantial action under a conditional use permit within a period of eighteen (18) months of its issuance, the permit shall be considered null and void.

8-13-7: REVOCATION OR MODIFICATION OF PERMIT:

A. Authority: If there is cause to believe that grounds exist for revocation or modification of an approved conditional use permit, the planning commission shall hold a public hearing on the question of modification or revocation of a conditional use permit granted under the terms and the provisions of this title.

B. Conditions: A conditional use permit may be modified or revoked if the planning commission finds that one or more of the following conditions exist:

1. The conditional use permit was obtained in a fraudulent manner.
2. The use for which the conditional use permit was granted has now ceased for at least six (6) consecutive calendar months.
3. One or more of the conditions of the conditional use permit have not been met.

C. Modification by Planning Commission: Additionally, the conditions under which a conditional use permit was originally approved may be modified by the planning commission without the consent of the property owner or operator, if the planning commission finds that the use or related development constitutes or is creating a demonstrated nuisance. Should reclamation be necessary, complete restoration, to such an extent that the area will not depreciate the surrounding property or impair the beauty of the landscape, shall be accomplished within a twelve (12) month time frame.

CONCLUSIONS

1. The request will comply with the Conditional Use Permit requirements found in Title 8 Zoning Regulations of the Duchesne County Code, provided that conditions are imposed.
2. The request is valid.

RECOMMENDATION

Recommended Motion: I move that the Planning Commission approve the Conditional Use Permit requested by Matthew Happe, on behalf of T&Z LLC, subject to the following conditions:

1. Duchesne County business license obtained and maintained for the duration of this conditional use permit.
2. The Transient Room Tax [TRT] shall be collected from guests.
3. Ingress/egress, driveway, and parking area shall be maintained to WUI code standards.
4. WUI code defensible space around structures shall be maintained at all times.
5. The “Short Term Rental Restrictions for Single Family Dwellings” document established by the Duchesne County Building Official shall remain in force for the duration of this conditional use permit. To ensure compliance, applicant shall request an inspection by the Department of Building Safety to ensure that the required safety standards have been met. This inspection has an additional fee (\$55.00, as of this report), paid to the Department of Building Safety.
6. Applicant shall inform clients of the Duchesne County noise ordinance standards and the property boundaries to deter noise nuisances and trespassing.
7. Applicant shall comply with Utah Code Section 17-50-337, ensuring the property is let for no more than 30 consecutive days.

Commissioner Sorensen asked if there are any persons who would like to speak? The applicant was not in attendance. There was no opposition since there were no visitors for this request.

Commissioner Sweat moved to adopt the Findings of Fact and conclusions of law and approve the T&Z LLC Conditional Use Permit, subject to the conditions recommended by staff. Commissioner Drake seconded the motion. The vote was unanimous.

New Business

None

- Commissioner Drake left the meeting at this time.

Approval of Minutes from August 3, 2022

Commissioner Sorensen asked for an approval of the minutes of the August 3, 2022 meeting. Commissioner Sweat made a motion to approve the minutes, with one correction to the spelling of her last name. Commissioner Richens seconded the motion and it passed unanimously.

Adjournment

Commissioner Sweat moved to adjourn the meeting. Commissioner Richens seconded the motion, and it passed unanimously.

The Planning Commission meeting was adjourned at 5:47pm.