

Duchesne County Planning Commission Meeting Minutes

Date: June 5, 2024

Location: Duchesne County Administration Building, Commission Chambers

Time: Meeting called to order at 5:00 PM

Commissioners Present:

- **Connie Sweat (Chair)**
- **Shon McKinnon**
- **Terry Nelson**
- **Thomas Winterton**
- **Annette Miller**

Commissioners Absent:

- **Shilo Hatch**
- **Kelsey Carter**

Staff Present:

- **Mike Hyde (Community Development Department)**
- **Mike Gottfredson (Community Development Department)**
- **Becky Broadhead (Community Development Department Executive Secretary)**

Meeting Start: Chairperson Connie Sweat called the meeting to order at 5:00 PM, read the rules and procedures for the meeting, welcomed attendees, and requested that cell phones be silenced and attendees sign in. Online participants were also asked to introduce themselves, and their names were noted.

Disclosures: Chairperson Connie Sweat asked if any commission members had pre-hearing contacts, site visits, or conflicts of interest to disclose. No disclosures were made.

Proceedings: Chairperson Connie Sweat outlined the hearing process, including the presentation of staff reports, acceptance of testimony, and expected decorum. She emphasized that only one person should speak at a time and noted that the proceedings were being recorded. The structure for the hearing was detailed, including the order of testimony and criteria for decisions.

Agenda Items:

Agenda Item A: Conditional Use for a Campground Between Duchesne and Fruitland by Mathew Lish

Staff Presentation:

- **Presented by:** Mike Gottfredson
- **Staff Recommendations:** Finding of fact can be found on file with the community development department.

Questions and Discussion:

- **Chairperson Connie Sweat:**
 - **Question:** Why does the map show seven sites when only three are approved? Are additional permits needed for the other four sites?
 - **Response from Mike Gottfredson:** The map shows sites four through seven as incomplete. Additional permits will be required for these sites once they are ready.
- **Commissioner Annette Miller:**
 - **Question:** Will the applicants need to return for further approval?
 - **Response from Mike Gottfredson:** Yes, further approval is necessary for the incomplete sites.
- **Commissioner Thomas Winterton:**
 - **Question:** Does the transient room tax apply to this campground?
 - **Response from Mike Gottfredson:** Yes, it applies to this commercial campground and will be included as a condition.
- **Mike Hyde:**
 - **Question:** Have the applicants consulted Tri-County Health regarding the inspection and testing of the septic systems and water supply?
 - **Response from Applicant Matt Lish:** They will follow up with Tri-County Health and comply with all requirements.
- **Commissioner Thomas Winterton:**
 - **Comment:** Expressed support for the applicants' efforts.
 - **Response from Matt Lish:** Thanked the commissioners and explained how the campground promotes local beauty and tourism.

Decision:

- **Motion:** To approve the conditional use permit with the recommended conditions.
 - **Vote:** Unanimously approved.
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Agenda Item B: Conditional Use Permit for Surface Mining of Land Owned by Integrated Water Management

Staff Presentation:

- **Presented by:** Mike Hyde
- **Staff Recommendations:** Finding of fact can be found on file with the community development department.

Questions and Discussion:

- **Commissioner Terry Nelson:**
 - **Question:** What wind speed is considered "high winds"?
 - **Response from Mike Hyde:** The term is kept general for judgment calls.
- **Commissioner Shon McKinnon:**
 - **Question:** What are the reclamation requirements after the bond requirement was waived?
 - **Response from Mike Hyde:** Reclamation requirements must be met to ensure no hazardous situations remain.
- **Chet Hansen:** Described the process of managing the dirt and deciding to haul it to Arcadia.
- **Mike Hyde:** Discussed the possible need for a business license if the material is sent to a sand plant and addressed stormwater management concerns.

Decision:

- **Motion:** To approve the conditional use permit with the recommended conditions.
 - **Vote:** Unanimously approved.
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Agenda Item C: Ken Wade, Owner of 37 Leasing LC for Two Short-Term Rentals in the Wade Minor Subdivision east of Tabiona

Staff Presentation:

- **Presented by:** Mike Gottfredson
- **Staff Recommendations:** Finding of fact can be found on file with the community development department.

Questions and Discussion:

- **Commissioner Terry Nelson:**
 - **Question:** Is a fire marshal inspection required?
 - **Response from Mike Gottfredson:** Compliance with building code requirements includes fire suppression, which does not require a separate fire marshal review.
- **Chairperson Connie Sweat:**
 - **Question:** Will the rentals be listed on Airbnb?
 - **Response from Mike Hyde:** County requirements are the same regardless of the platform used.

Decision:

- **Motion:** To approve the conditional use permit with the recommended conditions.
 - **Vote:** Unanimously approved.
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Agenda Item D: Conditional Use for a Short-Term Rental at a Cabin in the Stockmore Area

Staff Presentation:

- **Presented by:** Mike Gottfredson
- **Staff Recommendations:** Finding of fact can be found on file with the community development department.

Questions and Discussion:

- **Commissioner Thomas Winterton:**
 - **Question:** What is the classification of the road, and is it a county or private road?
 - **Response from Mike Gottfredson:** It is not a county road but must meet WUI Code requirements for emergency access.
- **Mike Hyde:**
 - **Question:** What is the width and condition of the access road?
 - **Response from Sloane Vaughn:** Believed it is a two-way road.
 - **Further Response from Mike Gottfredson:** Confirmed the road serves multiple properties and must meet WUI Code requirements.

Public Comments:

- **Mike Gottfredson:** Read a letter expressing concerns about parking, utility encroachments, and setbacks.
 - **Response from Mike Gottfredson:** Addressed the concerns and confirmed compliance with county requirements.

Decision:

- **Motion:** To approve the short-term rental with the conditions of approval listed.
 - **Vote:** Unanimously approved.
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Agenda Item E: Conditional Use Permit for Blue Diamond Proppants Sand Surface Mine

Staff Presentation:

- **Presented by:** Mike Gottfredson
- **Staff Recommendations:** Finding of fact can be found on file with the community development department.

Questions and Discussion:

- **Commissioner Terry Nelson:**
 - **Question:** Concerns about the water well's impact on local resources.
 - **Response from Mike Gottfredson:** Emphasized the need to maintain a 660-foot buffer and coordinate with applicants to minimize impact.
- **Mike Hyde:** Discussed the need for updated assessments of wetlands and ensuring emergency access adequacy.

Public Comments:

- **Mike Hyde:** Read a letter from Roosevelt City Manager, Josh Bake, expressing opposition due to dust and environmental concerns.
 - **Response from Logan Hibbert:** Discussed dust mitigation and reclamation plans.

Decision:

- **Motion:** To approve the conditional use permit for the sand mine with the conditions of approval listed.
 - **Vote:** Unanimously approved.
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Agenda Item F: Conditional Use Permit for Blue Diamond Proppants on Properties Owned by John Miles

Staff Report:

- **Presented by:** Mike Gottfredson

Questions and Discussion:

- **Mike Hyde:** Recommended requiring consultation and approval from UDOT for the use of Highway 87.
 - **Response from Mike Gottfredson:** Agreed to include this condition.
- **Stephen Baker:** Expressed concerns about increased sand, safety, and road conditions.
 - **Response from Mike Gottfredson:** Suggested including dust mitigation and road maintenance agreements.

Decision:

- **Motion:** To recess the hearing to August 7th for further investigation.
 - **Vote:** Unanimously approved.
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Agenda Item G: Conditional Use Permit for Blue Diamond Proppants on Properties Owned by Ovintiv USA

Staff Report:

- **Presented by:** Mike Gottfredson

Public Comments:

- **Mary Cushmall:** Raised concerns about the impact on future development and recreational activities.
 - **Response from Commissioner Winterton:** Clarified the scope of the current permit decision.
- **Mike Gottfredson:** Read written statements from Henry Chen Jr. and Kent Taylor expressing concerns about long-term impacts.
 - **Response from Logan Hibbert:** Assured adherence to conditions and mitigation measures.

Decision:

- **Motion:** To approve the conditional use permit as recommended by staff.

- **Vote:** Unanimously approved

Other Business and Information:

Approval of Minutes:

- **Minutes of April 3rd, 2024:** Presented for approval with a noted correction.
 - **Motion:** To approve the minutes with the correction.
 - **Vote:** Unanimously approved.

Information Only Items:

- Mike Hyde discussed items for the next meeting, including revised ordinances and conditional use permits.

Announcement:

- Becky Broadhead announced her departure, and Josh Felter will take over her duties. Mike Gottfredson and the commissioners expressed appreciation for her contributions.

Meeting Recap:

- Mike Gottfredson provided a recap of a recent meeting with county commissioners and discussed upcoming follow-up meetings.

Adjournment:

- **Motion:** To adjourn.
- **Time:** 8:45 PM.