

## **Duchesne County Planning Commission Meeting Minutes**

**Date:** September 4, 2024

**Location:** Duchesne County Administration Building, Commission Chambers

**Time:** Meeting called to order at 5:00 PM

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### **Commissioners Present:**

- **Chair:** Connie Sweat
- Kelsey Carter
- Terry Nelson
- Shilo Hatch
- Annette Miller

### **Commissioners Absent:**

- Thomas Winterton

### **Staff Present:**

- Mike Hyde (Community Development Director)
  - Mike Gottfredson (Deputy Community Development Director)
  - Josh Felter (Administrative Assistant)
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### **Call to Order:**

Chairperson Sweat called the meeting to order at 5:00 PM.

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### **Disclosure:**

Chairperson Sweat read the Rules of Order for a Public Hearing, emphasizing the requirement for Planning Commission members to disclose any pre-hearing contacts, site visits, or conflicts of interest.

**Commissioner Kelsey Carter:** Announced he would recuse himself from Agenda Item A.

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## **Agenda Item A: Proposed Airport Overlay Zone Ordinance**

### **Staff Presentation:**

- **Presented by:** Mike Hyde
- **Staff Recommendations:** Findings of fact can be found on file with the Community Development Department.

### **Questions and Discussion:**

- **Commissioner Terry Nelson:** Asked about the wording in the ordinance regarding the FAA's role in determining land use compatibility.
  - **Response from Mike Hyde:** Explained that the FAA assesses hazards to air navigation, while the county determines land use compatibility.

### **Proponents:**

- **Neil Fraser, J.U.B Engineers, representing the Mayor of Duchesne City:** Expressed support for the ordinance, noting that it helps protect the airport without being overly restrictive. Provided clarifications on FAA regulations and emphasized the importance of considering both FAA determinations and local land use decisions.

### **Opponents:**

- **Kelsey Carter, representing Javelin Energy:** Raised concerns about specific language in the ordinance regarding conditional use permits, particularly the potential for requiring permits when not currently necessary.
  - **Response from Mike Hyde and Mike Gottfredson:** Discussed potential revisions to clarify that conditional use permits would be required only if mandated elsewhere in the zoning ordinance.
- **Jake Woodland, Wasatch Energy Management:** Sought clarification on definitions of approach zones and potential impacts on planned drilling operations, expressing concern about height restrictions affecting upcoming projects.
  - **Response from Neil Fraser and Mike Hyde:** Provided explanations on the approach zones and suggested removing certain sections to address his concerns. They proposed striking subsection D and modifying subsection C to include the approach zone, alleviating potential conflicts with planned operations.

### **Decision:**

- **Motion:** To recess the Public Hearing until October 2, 2024, to allow time for revisions and stakeholder input.
  - **Motion by:** Commissioner Terry Nelson
  - **Seconded by:** Commissioner Annette Miller
  - **Vote:** Unanimously approved.
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## **Agenda Item B: Conditional Use Permit Application by Integrated Water Management for Surface Mining and Rock Crushing**

### **Staff Presentation:**

- **Presented by:** Mike Hyde
- **Staff Recommendations:** Findings of fact can be found on file with the Community Development Department.

### **Questions and Discussion:**

- **Commissioner Terry Nelson:** Inquired about the haul route and whether the road is paved.
  - **Response from Mike Hyde:** Confirmed that 3400 South is a gravel Class D road, with the approach to Highway 87 possibly paved.

### **Applicant Presentation:**

- **Representative:** Nate Robinson, Integrated Water Management
  - **Summary:** Thanked Mike Hyde for the thorough presentation and confirmed that he is available to answer any questions. Emphasized willingness to comply with all conditions and regulations.

### **Decision:**

- **Motion:** To approve the conditional use permit with the recommended conditions.
- **Motion by:** Commissioner Shilo Hatch
- **Seconded by:** Commissioner Annette Miller
- **Vote:** Unanimously approved.

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## **Agenda Item C: Variance Request by Troy Wilde Excavating Inc.**

### **Staff Presentation:**

- **Presented by:** Mike Gottfredson
- **Staff Recommendations:** Findings of fact can be found on file with the Community Development Department.

### **Questions and Discussion:**

- **Commissioner Terry Nelson:** Asked about future access for fire protection if the adjacent property is sold.

- **Response from Mike Hyde:** Explained that fire access would be addressed during the building permit process, ensuring adequate access regardless of property ownership.

#### **Applicant Presentation:**

- **Representatives:** Troy Wilde and Gretchen Wilde
  - **Summary:** Explained the purpose of the variance, which is to reduce the rear yard setback from 30 feet to 4 feet for their storage facility. They detailed plans for property development, including ownership of adjacent property to maintain adequate access, plans to improve safety by directing traffic away from the highway, and coordination with fire officials.

#### **Questions and Discussion:**

- **Commissioner Terry Nelson:** Sought clarification on property ownership and future plans.
  - **Response from Applicants:** Confirmed ownership of the adjacent property and efforts to contact neighboring property owners for approval. They highlighted that the variance would not negatively impact others and that they have worked closely with county staff and UDOT.

#### **Decision:**

- **Motion:** To approve the variance request to reduce the rear yard setback to 4 feet.
  - **Motion by:** Commissioner Annette Miller
  - **Seconded by:** Commissioner Shilo Hatch
  - **Vote:** Unanimously approved.
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### **Agenda Item D: Conditional Use Permit Application by Wasatch Energy Management for a Labor Camp**

#### **Staff Presentation:**

- **Presented by:** Mike Gottfredson
- **Staff Recommendations:** Findings of fact can be found on file with the Community Development Department.

#### **Applicant Presentation:**

- **Representative:** Jake Woodland, Wasatch Energy Management

- **Summary:** Provided updates to the application, noting the change from two-bedroom to three-bedroom units to accommodate six occupants (three per unit). Discussed coordination with Tri-County Health regarding septic system requirements and water service. Confirmed that building permits have been filed and that all conditions will be met prior to occupancy.

**Questions and Discussion:**

- **Commissioner Terry Nelson:** Inquired about the number of occupants per unit and compliance with square footage requirements.
  - **Response from Applicant and Staff:** Confirmed that each unit would house three occupants, with 750 square feet per unit, meeting the requirement of at least 100 square feet per occupant.
- **Commissioner Annette Miller:** Asked about the duration and renewal process of the labor camp permit.
  - **Response from Mike Hyde:** Explained that permits are issued for one year by Tri-County Health with options for renewal.

**Decision:**

- **Motion:** To approve the conditional use permit with the recommended conditions.
  - **Motion by:** Commissioner Terry Nelson
  - **Seconded by:** Commissioner Annette Miller
  - **Vote:** Unanimously approved.
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**Agenda Item E: Withdrawal of Application by Roy Opsahl for Conditional Use Permit**

- **Note:** The application was withdrawn prior to the meeting.
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**Agenda Item F: Proposed Ordinance 24-412 Amending Subdivision Code**

**Staff Presentation:**

- **Presented by:** Mike Hyde
- **Staff Recommendations:** Findings of fact can be found on file with the Community Development Department.

**Questions and Discussion:**

- **Commissioner Shilo Hatch:** Questioned the limitation of one public hearing for preliminary plats and whether hearings can be continued.

- **Response from Mike Hyde:** Confirmed that while only one hearing is permitted, it can be continued if necessary. Explained that the change is in response to state legislation aimed at streamlining the subdivision process and making housing more affordable.

**Decision:**

- **Motion:** To recommend approval of Ordinance 24-412 to the County Commissioners.
  - **Motion by:** Commissioner Terry Nelson
  - **Seconded by:** Commissioner Annette Miller
  - **Vote:** Unanimously approved.
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**Other Business:**

- There was no other business discussed.
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**Adjournment:**

**Motion to Adjourn:**

- **Motion by:** Commissioner Annette Miller
- **Seconded by:** Commissioner Terry Nelson
- **Vote:** Unanimously approved.

**Meeting Adjourned at: 7:45 PM**

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