

# Juab County Planning Commission

## August 18, 2021

### **Welcome & Prayer**

Chairman Quinton Kay called the meeting of the Juab County Planning Commission to order on Wednesday, August 18, 2021 at 7:00 PM in the Juab County Commission Chambers in Nephi, Utah. He welcomed those attending. Commissioner Steven Bunker said the prayer.

### Commission Members Present:

Chairman Quinton Kay, Vice Chairman Shirl Nichols, Commissioner Leslie Rice, Commissioner Mike Kramer, Commissioner Steven Bunker, Administrator Colby Park and Secretary Tracy Painter.

### Others Present:

Dennis Ward, Debra Ward, Jim McWilliams, and Mike Sperry.

### **Minutes**

The commission reviewed the minutes of the planning meeting held on June 16, 2021.

Commissioner Steven Bunker moved to approve the minutes of the June 16, 2021 meeting as written. Commissioner Mike Kramer seconded the motion. The motion carried.

### **Valley View Subdivision Vicinity Plat**

Jim McWilliams and Mike Sperry presented the commission with the vicinity plat for the Valley View Subdivision. The property for the proposed development is located west of Nephi on 800 South and east of Airport Road. They will access the subdivision from Airport Road. They are going to pave 18' from Airport Road down to the east side of the subdivision. Quinton asked if the DRC saw the plat. Colby said that there were no comments from the Fire Marshal, the health department wants a soil test on each lot, and Lynn just talked about paving the road. Quinton asked if they had the water. Jim said that they had plenty of water. Quinton asked about the land dedication. He is going to pledge a total 160 acres located in the same zoning district per lot. Quinton asked if there were provisions that allowed that, it's not been done. It was explained that it's just a regular standard subdivision with no incentives.

Commissioner Mike Kramer move to approve the Valley View Subdivision vicinity plat. Commissioner Leslie Rice seconded the motion. The motion carried.

## **Valley View Subdivision Preliminary Plat**

Jim McWilliams and Mike Sperry presented the commission with the preliminary plat for the Valley View Subdivision. Quinton confirmed that they are working on the restrictive covenants. They said they were working on them. Quinton checked the 33' deed from the center of the road, it was good. Lynn also talked to him about making sure the road was in before the final plat is approved. Quinton asked if there should be an agreement between Jim and the county on the road. Colby said that it wouldn't be necessary because the final plat will not be recorded until the road is done and approved. The planning commission could approve the final plat next month it just can't be recorded until the road is done. Jim will have to record the pledge for the additional acreage at the time the subdivision plat is recorded. The dedication will work like it does for a single family there will have to be a total of 160 acres pledged per lot in the A1 district. Since the additional property will be in the A1-160 and not the A1-50, the greater amount will have to be pledged. Quinton said that he would like that clarified in the ordinance. Colby and Tracy explained that it is just the standard subdivision.

Leslie asked if we had requirements for certain compaction under the roads. There is a book of standards for roads in the county. She was also concerned about roads being torn up by home builders, can they be required to repair the roads? Jim told her that they would have to get a permit from the county to tear up the road and they would be required to fix their damage. She was wondering because of situations that have happened in Eureka.

Quinton asked if the Development Review Committee looked over this plat. They have Debbie marked a few things on the plat, the addresses and it says Sutherland Trust. Fire didn't have anything where it was close to Nephi. Cody with the Health Department said that where the lots are that big, they would require a soil test on each lot. We've already covered the road issues.

Commissioner Leslie Rice moved that they approve the Valley View Subdivision preliminary plat. Commissioner Steven Bunker seconded the motion. The motion carried.

## **Yuba Lakeside Recreational Subdivision Plat B Preliminary Plat**

Dennis and Debra Ward presented the preliminary plat for the Yuba Lakeside Recreational Subdivision Plat B. Colby reviewed the DRC comments. The Fire Marshal commented that they needed to provide information on the water supply for fire suppression, supply information on road construction they are required to be an all-weather road and on lot 9 there needs to be a turnaround, a hammerhead like they did before. The Health Department would like a soil test on each lot. The road didn't have any comments since it's a D road and the other road is a private road. The Recorder said that the ownership needs changed, and the parcel numbers need referenced. The addresses have not been checked but Colby said they would get that done. Quinton asked about the drinking water. Dennis said that they will have two wells located where is says common area and they take the water to each lot. The ordinance says 1 acre foot for every 6 lots. They meet the requirement for abutting an existing road. The draft CC & R's have been submitted.

Commissioner Mike Kramer moved to accept the preliminary plat for the Yuba Lakeside Recreational Subdivision Plat B contingent they meet the DRC comments. Commissioner Steven Bunker seconded the motion. The motion carried.

### **Short Term Rental Discussion**

A sample ordinance from Summit County Colorado was handed out. Colby explained that there is a need to address short term rentals in the county, anything under 30 days, a few examples are Air BNB, VRBO's. There are several in Juab County and they need to be looked at before it gets too far. He and Tracy have talked about several different approaches, like making them a conditional use. Then they came across this ordinance. Which would make them an allowed use, but they would have to apply for a license to operate. Which is renewed annually. The license is only good for the owner of the property where a CUP goes with the property.

Colby explained that what has brought this on is a treehouse west of Nephi that is an Air BNB rented out nightly. It started out as a place for his grandkids and has evolved into this place that is rented out to the public. The problem is they didn't get a building permit, it has not been inspected, they do not have a business license, and a few other issues. Mike commented that you can take the risk of injury for yourself and your family but when you start having the public involved, you need to have permits and inspections to make sure things are safe. The planning commission could actual be held responsible if something happens to someone. Colby said that he tried to work with him to come into compliance, but nothing ever happened, so the County Commissioners issued a cease-and-desist letter until it is brought into compliance.

Colby said that Joe Humphry rents out the guest house on his property. Steven asked if this included "glamping". Colby said that he didn't think that would fall under this because they don't own the property, and someone goes in and sets up a tent or a trailer and then goes in and removes it. Quinton asked if this also addresses a person that rents out a room in their house for the night. Colby said that the "cabins" at Yuba rent out on a nightly basis also.

Shirl asked if he had five lots with cabins on them would he need 5 licenses or just one. Colby said that this example has is set up different. They have an application for a single and then they have a bulk application for up to five. Then if someone bought a cabin then the new owner would have to apply for a new license. Shirl asked if we could do a background check on these owners. Mike agreed that it would be a good idea to ask the attorney if a background check could be done.

Colby said that tonight we just wanted to have a discussion and explain the need. Quinton said that we need to go over this sample and mark what they like and what is relative to Juab County. Mike asked if we were going to collect enough money for the permit to cover cost of an inspector and license processing. Colby said that we would need to make sure the fee covered all the costs associated with issuing the license.

Quinton said that he knows of an individual in the county that rents rooms in his house. The issue would be if it was a long-term or a short-term rental. Anything over 30 days is long-term and under 30 days is short-term. We would have to look at how to address long-term rental, it would be something like a boarding house. We may want to address that at the same time.

Shirl suggested that we look into what we would be opening up if we approve something like this. Everyone needs to review the sample ordinance and see if we can write something that works for us.

## **Other Business**

Quinton said that he was concerned about approving the vicinity and preliminary plat on the same night. He likes to have the time to think about things that may not have been brought up in between the two steps. From now on they need to be addressed at different meetings. Colby explained that they submitted their vicinity plat at the end of June for the July meeting, but we didn't meet in July. They submitted the preliminary plat two weeks ago. It was a pretty straight forward development that we didn't see any issues with it. He also explained that the vicinity plat is kind of a protection for the developer so they don't have anything invested if something will not work. Quinton said he doesn't care if they are submitted together but he does not want to approve both in the same meeting, he would like the month in between. Mike agreed with Quinton. Colby and Tracy said that they will not allow it to happen again. Steven felt like there could be circumstances that it would ok. They thought that it might could be done with advance notice to the commission members so they can look it over prior to the meeting. They will need to check if plats can be emailed out prior to the meeting. Tracy said that it can't be discussed among the members without the developers having the opportunity to be present. So, they may be able to email it out but not be able to discuss it with each other outside of a meeting.

Quinton also said that he has never heard of the 160-acre dedication for a subdivision. Colby said that he hadn't either. Tracy said that it is in the ordinance. Quinton asked if it could be listed in the small lot subdivision that there is another option. Tracy showed him in the ordinance where it says if a subdivision is not a recreational subdivision, an incentive subdivision, or a PUD the development shall comply with the acreage requirements established in the Land Use Code for single family housing. In the A1 district that is either 50 acres or 160 acres. The dedicated property is in the A1-160 district so the 160 acres per lot must be pledged.

Quinton said that he will do a follow up with Mona on the Interlocal Agreement. He also asked everyone to go to their related cities and find out what they think. Shirl asked if it was a draft or a final. It is just a draft; each city needs to look it over and see what they like and what the don't and we'll do finals later. Each city's will be different.

Colby showed the commission the map where they marked every mile on Old Hwy 91. Quinton asked if they could look at industrial and commercial zoning while they are looking at the transportation plan. They marked some areas light industrial, heavy industrial, and commercial areas. If they want to separate light from heavy industrial the ordinance will have to be changed because currently there is only an industrial district. Leslie asked if it was necessary

to distinguish the difference, won't an industry want to locate where they fit and what their needs are? She didn't want to limit someone from being able to sell their property if it wasn't the right kind of industry. Steven felt that an industry wouldn't look at property they didn't know up front if they could develop. Colby suggested that a light industry and a commercial use could fit together. Quinton reminded that we didn't want to squeeze out residential uses. They want to revisit the map next month and continue working on commercial/industrial zones and preserving an Old highway 91 transportation plan.

Leslie asked if anything further has happened with the people that wanted to develop on the east side of I-15. Colby said that they have slowed down since the pandemic set in. They are still thinking about it. They were working with the State on an interchange. The overpass is big enough for two big trucks side-by-side. They were also trying to figure out a way to get a frontage road back to the Santaquin interchange on the east side.

## **Adjourn**

The meeting adjourned at 9:08 PM.