

Juab County Planning Commission

March 15, 2023

Welcome/Prayer/Pledge

Chairman Quinton Kay opened the regular meeting of the Juab County Planning Commission on Wednesday, March 15, 2023, at 7:02 PM in the Juab County Commission Chambers in Nephi, Utah. He welcomed those attending and thanked them for coming. Chairman Kay said a prayer. Commissioner Shirl Nichols lead the Pledge of Allegiance.

Commission Members Present:

Chairman Quinton Kay, Vice Chairman Shirl Nichols, and Commissioner Mike Kramer.

Commission Members Absent:

Commissioner Leslie Rice and Commissioner Steven Bunker.

Others Present:

County Commissioner Marty Palmer, Zoning Administrator Colby Park, Secretary Tracy Painter, Clayton Sperry, Paul McPherson, Bob Bown, Casey Bown, Russ Mangelson, Christie Mangelson, Scott Cherry, and Douglas Anderson.

Public Hearing – Deep Creek Land & Livestock Farm Worker Housing Conditional Use Permit

Chairman Kay opened the public hearing for the Deep Creek Land & Livestock conditional use permit for farm worker housing at 7:04 PM. He instructed the public to sign up if they wanted to address the commission.

Quinton asked Bob Bown representing Deep Creek Land & Livestock to come up and present to the public what their plans are and what they are proposing.

Bob said that in his line of work they must provide housing to get good employees and have them stay. They do not like to turn over workers. They want to build a couple of homes on property they own for workers to live in, they have drilled a new well for them. They have the old Bateman Dairy, there are a couple of homes in the dairy. These homes will be for the farm workers. They are located on Slaughterhouse Lane.

Quinton asked if they were going to be a duplex or a four-plex. Colby said that technically it qualifies as a single-family residence falling under our ordinance for two kitchens.

There is a breeze way door that connects the two together. Quinton was concerned about getting the county tied up in litigation because they denied another company housing because they weren't zoned for residences, and they wanted to build 8-plexes. Shirl said that they looked at the plans last month and they didn't see a problem with them. They are also replacing mobile homes that were on the property already. Tracy said that these homes comply with the current farm worker housing ordinance.

Colby reported that the Health Department said that he couldn't have more than 25 people in the houses or they will have to put in a public drinking water system. Bob said that he wasn't going to have near that many.

Bob reported that they have removed the old trailer houses that were on the property. He said that they were putting in a new septic system, the existing one was too old.

There were no other comments received. Chairman Kay closed the public hearing at 7:14 PM.

Public Hearing – Paul McPherson Zone Change Request

Chairman Kay opened the public hearing for the Paul McPherson zone change request at 7:14 PM. He asked those that signed up to comment to come to the table. Scott Cherry and Doug Anderson wanted to ask some questions.

Scott explained that he is here representing his mother who is half owner of their family property which is located next to the property that is being considered for rezoning. He asked if the zoning change was just going to change Paul's property or if it would change all the property in the area. Quinton told him it was only for Paul's property.

Scott wanted to know what the zone change would do to the value of the surrounding properties and what would the taxation be on the surrounding properties. Shirl told him that it will do nothing to the value and will not affect the taxes.

Scott asked what the agricultural difference was in the GMRF and A1 zones. Quinton explained that GMRF acres cannot be pledged for residential development in the A1 district. So, in that respect the A1 property has more value than the GMRF property. As far as agricultural uses there is no difference.

Scott said that his family used to have dry land wheat on their property. Paul said that his parcels also used to have dry land wheat and now some of it is in CRP. Paul's parcels are all located adjacent to the existing A1-160 zone.

No other comments were received. Chairman Kay closed the hearing at 7:34 PM.

Minutes – February 15, 2023

The Commission reviewed the minutes of the February 15, 2023 meeting. Commissioner Kramer pointed out a typo in the first paragraph under “Consider Clayton Sperry Conditional Use Permit”, the “it” should be “if” in the first sentence.

Commissioner Mike Kramer moved to approve the minutes of the February 15, 2023 meeting with the noted correction. Vice Chairman Shirl Nichols seconded the motion. The motion carried, all voted in favor.

Consider Deep Creek Land & Livestock Conditional Use Permit

Quinton expressed his concerns about making sure the county is not going to get in trouble if they approved this conditional use permit. Tracy said that the new ordinance says that the housing must be in a zone where farm worker housing is allowed by conditional use, this property is in the A1-160. You must pledge 40 acres per dwelling, they have more than the required 80 acres for both homes. It must be a single-family dwelling. County Commissioner Palmer wanted to confirm that there were two buildings and each building had two kitchens. He was correct. The county ordinance says that a single-family home can have a second kitchen if there is one main entrance, and you cannot lock one living space off from the other. The state also has a new law that says we must allow ADUs, accessory dwelling units. Quinton asked if everyone was certain that this would not get the county in trouble. Tracy said any farm can come in and apply for housing that meets the current farm worker housing ordinance. Colby suggested that the Health Department requirements of if there is over 25 people using the drinking water on site then they would have to put in a public drinking water system and that the well be tested frequently. Mike also asked if the road would be adequate. It will have to be so a fire truck can get onto the property.

Commissioner Shirl Nichols moved to approve the conditional use permit for Deep Creek Land and Livestock with the conditions that if there are more than 25 people, they must put in a public drinking water system, the septic system must meet state codes, and we recommend they have the water tested to make sure they are providing good drinking water. Commissioner Kramer seconded the motion. The motion carried, all voted in favor.

Consider Paul McPherson Zone Change Recommendation

Quinton explained that his only concern is that we set a precedent that other people with property in the GMRF request changing the zoning to A1 so they can pledge property and circumvent the ordinance we have in place. Colby said that he agreed with Quinton and the differences are that these parcels are adjacent to existing A1 zoning and the property was previously farmed. Shirl felt like it was ok where the properties are contiguous. Mike felt that we shouldn't change zoning on property that cannot be farmed. Quinton asked Paul what his motives were for changing the zoning. Paul said that he wanted to be able to pledge the acreage for subdivisions. Mike said that it was a better fit for the type of property. Colby said that yes it

could set a precedent, but he didn't know how many people were in these same circumstances. Tracy said that she sent out 8 letters to property owners within a 1,000 feet of Paul's parcels. Just about everyone called with concerns. They wanted to know if the change would affect their property, if it would affect their taxes, and if Paul was going to develop these parcels.

Commissioner Mike Kramer moved to recommend the County Commission give final approval to the Paul McPherson zone change request. Commissioner Shirl Nichols seconded the motion. The motion carried, all voted in favor.

Chicken Creek Storage (Clayton Sperry) Site Plan

Clayton Sperry presented his site plan for the Chicken Creek Storage units. Quinton asked if this was the same one they talked about a couple of months ago. Yes, it is. This is located on Crooked Lane west of Levan. Quinton asked if there was any issue with source protection with the well. It is an irrigation well so there is no protection. We talked about making sure the gate was back off the road so a truck hauling a trailer can pull off. It is 75' off the road and 50' wide. The road is a class B road. Quinton asked if there were any DCR comments. The road department said that he needs to asphalt the encroachment to county standards and depending on where the asphalt on the road ends, he will have to pick up from the end and have the apron. Clayton hasn't been able to talk to Lynn about what he must do. We have the standards. The fire marshal wants a 20' gate the site plan is showing 16'. The fire marshal has not responded back on the site plan. Quinton suggested that Clayton call and talk to the fire marshal. There was no other discussion.

Commissioner Shirl Nichols moved to recommend the County Commission approve the site plan for the Chicken Creek Storage. Commissioner Mike Kramer seconded the motion. The motion carried, all voted in favor.

Self-Storage Unit Facility Ordinance

Colby explained that we need to revisit the latest draft. The Planning Commission recommended the County Commission adopt the ordinance. However, after talking to the County Commissioners, they asked that we revisit the requirement for the housing. Currently, we have it as 10 units and 2,000 square feet and that is probably ok when referring to just the storage unit facility but, they would like the number raised if they want to do a caretaker dwelling. County Commissioner Palmer said that they need to have a minimum of 40 units to get permission to build a caretaker house, so we don't have people putting in 10 units to get around the acreage requirement to build a house. The commission agreed, they also have concerns that 10 is not high enough. The commission discussed possible options. They decided on 40 units and a minimum of 8,000 square feet. The county attorney also had some concerns. Colby will get with him and see what he is thinking. We will try to get a draft out when we get all the changes made.

Commissioner Mike Kramer moved to hold a public hearing for the self-storage unit facility ordinance. Commissioner Shirl Nichols seconded the motion. The motion carried, all voted in favor.

Other Business

Colby reported that he met with the people who purchased Kylie Shephard's property across the road from Kylie's house. It's a 72-acre parcel. They have been operating without a business license and have built some makeshift shed type buildings without permits. He has been working with them to try and get them into compliance with the ordinance. They also have a business building wall panels for apartment buildings, then they haul them to the job site and put them together. Colby, Tracy, and the County Commissioners met with them yesterday and we were able to come up with a plan to get them into compliance. They have also set up a company, Juab Lumber Company, to sell lumber to people. There was a question if they were going to have to asphalt the road. It will have to be investigated. The commission said that we need to look at a requirement to require businesses and industries to be on an asphalted road. Colby just wanted to give the commission an update.

Quinton said it looks like they tabled making a decision on the JDI gravel pit. Shirl said that he told them at the last meeting he wasn't willing to do anything unless the county is going to get something out of it. It must have the -g overlay zone and we don't have to change the zoning. The current pits don't even meet the ordinances.

Adjourn

The meeting adjourned at 8:43 PM.