

Juab County Planning Commission

April 19, 2023

Welcome/Prayer/Pledge

Vice Chairman Shirl Nichols opened the regular meeting of the Juab County Planning Commission on Wednesday, April 19, 2023, at 7:00 PM in the Juab County Commission Chambers in Nephi, Utah. He welcomed those attending, thanked them for coming and said a prayer. Commissioner Steve Bunker lead the Pledge of Allegiance.

Commission Members Present:

Vice Chairman Shirl Nichols, and Commissioner Steven Bunker.

Commission Members Absent:

Chairman Quinton Kay, Commissioner Leslie Rice, and Commissioner Mike Kramer.

Others Present:

County Commissioner Marty Palmer, Zoning Administrator Colby Park, Secretary Tracy Painter, Blaine C Malquist, C Eileen Malquist, Norma B Malquist, Jordan Humphries, Mike Hansen, and Shanna Memmott.

Public Hearing – Juab County General Plan

Vice Chairman Nichols opened the public hearing for the proposed Juab County General Plan at 7:01 PM. He asked if there was anyone who would like to comment.

Eileen Malquist commented that she felt that the government was making too many laws that infringed upon an individual's freedoms, especially those with disabilities. As a person with disabilities, she just wants to live her life with as many freedoms as the scriptures say we should and encourages the government to stay out of individual's lives.

Blaine Malquist said that Eileen's life has been severely damaged because of what the city, county, state, and federal governments have done by spraying these chemicals that she and many others are allergic to. He feels that we are going to find out that this is going to last through many generations. We are hurting them as well as ourselves. He has talked to so many people who don't know how they are going to survive through the year with all the taxes they are going to have to pay.

Vice Chairman Nichols thanked them for their comments but explained that we are talking about the General Plan.

Eileen Malquist said that she knows she has read it several times and their comments are related to the General Plan, it's just another way the government is taking away people's freedoms.

Mike Hansen, representing Rural Community Consultants, compiled the General Plan. He said he appreciated the comments he agrees that the government shouldn't overstep. This general plan outlines what the county wants to be. It doesn't necessarily have the weight of law but is an advisory document. There are things in there that say we want to protect our water and our natural resources from Federal and State overreach. He said that the legislature passed a bill that says if you are doing a county level general plan, you must address water and how you're protecting it. That was already in there. Then they said how you must write it and it was a little different than what was there. There are new charts to estimate future growth and if there is enough water to support that growth. This is new and it hasn't been in a previous draft. Next year the county needs to get some strong recommendations on protecting water and stick to them. He also gave us a summary of what the legislature passed this year. One side shows what the state changed in the law regarding land use and the other side shows what they suggest we change in our code.

There were no other comments received. Vice Chairman Nichols closed the public hearing at 7:11 PM. He also explained that there is not a quorum present so they can't make any recommendations or approvals.

Minutes – March 15, 2023

There was not a quorum present to approve minutes. Action will have to be taken next month.

Juab County General Plan Recommendation

There was not a quorum present to make a recommendation to the County Commission regarding the proposed general Plan. Action will have to be taken next month.

Black Water Site Plan

There was no one present representing Black Water, nothing was discussed regarding their site plan.

Other Business

Colby asked the planning commission for opinions on an issue brought up by Jordan Humphries, there is not anything in the ordinance that really addresses the issue. Jordan has a lot in the Juab Lakeside Recreational Subdivision. He wants to have 3 or 4 RV hook ups on his lot where he and family members can bring their camp trailers down and stay. He would also like to put these trailers up on a short-term rental site and rent them out when they are not using them. Shirl asked if this would open up something that will get out of control, and it basically becomes a trailer park. Jordan said that he doesn't want to do anything that he's not supposed to.

Steven asked if we ever passed the short-term rental ordinance. We have not, there are still a few things that need to be figured out and the attorney needs to review it.

Colby said that there is not a problem if it's for personal and family use. He also explained that the developers had to install a water system so the water is good and monitored. Commissioner Palmer asked who approved the system. He was told it was the state, so they must do the testing and everything.

Commissioner Palmer asked what he was doing for sewer. Jordan said that he is going to put in two septic tanks.

Colby said that he eventually wants to build a recreational home on the lot but for now he is trying to figure out how he can use the property that he has invested in.

Colby also explained that it has come to his office's attention that across the lake there is someone doing this without approvals and licenses. They have dry camps and short-term rentals.

Steven asked if the subdivision had any restrictions that would prohibit this. Jordan and Colby both said that they couldn't find anything. He also asked if there was anything that said how many structures can be on a lot.

Commissioner Palmer asked if there was anyone living out there full-time. Jordan said that he was told they weren't allowed to. Colby explained that there are some homes out there that are being used for short-term rentals. Steven asked if the same occupancy restrictions apply to the short-term rentals. He was told that they have the same limited number of days that the rental can be occupied in a year.

Shirl said that we can discuss this, but we can't take any official action. Colby said that he was just looking for guidance.

Jordan asked if he could get a permit to get the electricity out there. Colby told him that we could do that and there was no problem if he wanted to use it for just personal and family use. No renting it out until we can get further information.

Shanna Memmott with Juab Travel and Tourism said that she was just in a meeting about short-term rentals. You must collect TRT taxes even if you go through a rental agency that

collects for you, it is still your responsibility to file each month to show that the rental agency is filing fully on your behalf. Jordan said that he understood that and would be doing that.

Colby said that the only thing that we don't know right now is if it's an allowed use for the property. Tracy asked if it was any different than the houses being rented. Colby explained that those are just one structure and technically these RVs aren't structures. Steve thinks that if it's one structure, the other properties just have one structure, and if it meets code, it should be ok.

Shirl told him that right now all they could tell him is that he can have all the friends and family he wants. But we can't say that he can rent the trailers.

Adjourn

The meeting adjourned at 7:28 PM.