

Juab County Planning Commission
August 16, 2023

Welcome/Prayer/Pledge

Vice Chairman Shirl Nichols opened the regular meeting of the Juab County Planning Commission on Wednesday, August 16, 2023, at 7:00 PM in the Juab County Commission Chambers in Nephi, Utah. He welcomed those attending, thanked them for coming. Commissioner Bunker said a prayer. Commissioner Kramer lead the Pledge of Allegiance.

Commission Members Present:

Vice Chairman Shirl Nichols, and Commissioner Mike Kramer. Commissioner Steven Bunker.

Commission Members Absent:

Chairman Quinton Kay and Commissioner Leslie Rice.

Others Present:

County Commissioner Marty Palmer, Zoning Administrator Colby Park, Secretary Tracy Painter, Joe Johnson, Josh Moffat, and Marissa Croft.

Minutes - May 17, 2023, Work Session June 7, 2023, and June 21, 2023

The Commission reviewed the minutes of the meeting held on May 17, 2023.

Commissioner Mike Kramer moved to approve the minutes of the May 17, 2023 meeting as presented. Commissioner Steven Bunker seconded the motion. The motion carried, all voted in favor.

The Commission reviewed the minutes of the work session held on June 7, 2023.

Commissioner Mike Kramer moved to approve the minutes of the June 7, 2023 work session as presented. Commissioner Steven Bunker seconded the motion. The motion carried, all voted in favor.

The Commission reviewed the minutes of the meeting held on June 21, 2023.

Commissioner Mike Kramer moved to approve the minutes of the June 21, 2023 meeting as presented. Commissioner Steven Bunker seconded the motion. The motion carried, all voted in favor.

JDH Development – Josh Moffat

Josh Moffat and Joe Johnson refreshed the commission on their proposed sand and gravel operation. JDI bought the property 10 years ago. At that time, they were told that they could have a gravel pit there. It is in the GMRF zone they want to have the G overlay applied to their parcel. They are located north of the Kilgore pit. TM Crushing based out of Lehi will be coming in and mining aggregate and sand. They are aware of the concerns the county has regarding gravel pits and the county bearing all the expense repairing roads and not getting any benefit from the gravel pits. Joe Johnson said that he would be the manager of the operation. He said that in the last legislative session they passed HB75. Which allows some of the sales tax to come back to the county when they sell aggregate to third party buyers, like concrete producers. He is not an expert on the bill, but he knows they passed something.

Commissioner Palmer said that they've had a lawyer look at it and it is very complicated and not much comes back to the county. He asked if they would have an office and scales in Juab County and would bill out of the county so we could get sales tax.

Joe said that he thought that point of sale was where sales tax went, so if its sold in Juab County the sales tax should come to Juab County. It is his understanding of the bill if they sell to someone with the manufacturing exemption, for example a concrete business. They don't charge the concrete business sale tax because they are exempt, but the concrete business charges sales tax to their customer and some of that sales tax is supposed to come back to the county that sold the aggregate.

Shirl felt like someone who understands reading laws needs to go over it. He said that he didn't expect JDH to cover the expenses of all the repairs but would like them to cover their share.

Mike asked when the law took effect. Joe thought it was in May so it would be in place now.

Steven asked if they knew what percentage of their revenues went to different counties. Joe did not know. He thought that they had to report to Juab County what their sales were.

Shirl asked about the agreement with the county that was talked about before. Josh said that they did not know what the person who came in before said but they were not aware of any agreement. Joe said that they were happy to participate in anything on going like mag chloriding the roads.

Mike asked if they approve this overlay change will this open a can of worms. Colby said it could, but we need to identify the unique circumstances why we approved this one. It is

contiguous to an existing operation, it will be a minimal impact because Kilgore is already using the roads.

They will have to comply with the current gravel pit ordinance, which includes an annual report to the County Commission about how they are in compliance with the ordinance.

Shirl asked if there was any other discussion. They would like a decision tonight; the public hearing was held several months ago. It is making a recommendation to the county commission.

Commissioner Steven Bunker moved to recommend the County Commission add the G overlay zone to the JDI parcel. Commissioner Mike Kramer seconded the motion. The motion carried, all voted in favor.

Barnard Construction Conditional Use Permit

Marissa Croft representing Barnard Construction presented their application for a conditional use permit for a lay down yard for the construction of the TransWest Express transmission line. She told the commission the property is located south of the Jenson Refrigeration building south of Nephi. Barnard Construction is purchasing the parcel. They are the construction company building the TransWest Express transmission line. They need the conditional use permit to do a lay down yard to store their heavy equipment during the construction process. They will be laying down some gravel and fencing about 2.5 acres of the 20-acre parcel. Nephi City is planning to annex the parcel soon. It is zoned agricultural but everything surrounding it is industrial.

Shirl said that they will have to hold a public hearing on the conditional use permit. They can schedule that to be held at the September meeting.

They will be dedicating the portion of Elevator Road to the county.

Storage Unit Facility Ordinance

Colby handed out the latest draft of the proposed storage unit facility ordinance. He explained that Perry suggested we define caretaker quarters. He said we considered calling it “self-storage unit facility caretaker quarters” but thought that there maybe other uses like an RV park that may want caretaker quarters. If it’s left “caretaker quarters” the definition can be for other situations as well. He also explained that they must have at least 50 units and 10,000 square feet to qualify for caretaker quarters on site. They can have less and still build storage units but do not qualify to have housing on site. We have talked over the maximum square footage of the house and determined that 1200 square feet would be a better number. This will be for the total dwelling unit, including the basement and all floors (anything under the roof).

The commission discussed the total square footage and office space. They determined to leave it at the total 1200 square footage and if they want to have an office in the house it will be included in the 1200 square feet. We also need to establish where these will be allowed. Colby said that we are going to be cleaning up the land use code in the near future. They wondered if they could allow them with overlay zoning, temporarily. They want to do away with conditional use permits.

Shirl asked if it would be easier to establish zoning and road corridors by sitting down to big paper maps and writing on them what we want. We need to come up with what zones we want to have, like heavy industrial, light industrial, commercial, highway commercial, etc. Rural Community Consultants will be helping us with the land use code and the zoning map. They talked about scheduling a work session to get things done.

The commission said that they felt good with the wording on the ordinance with the 1200 square feet. We will have to have a public hearing next month.

The commission members were encouraged to read the general plan, so we can get it recommended to the County Commission and adopted.

Other Business

There was no other business.

Adjourn

The meeting adjourned at 8:27 PM.