

MEETING MINUTE SUMMARY

MOUNTAINOUS PLANNING DISTRICT PLANNING COMMISSION MEETING

Thursday, July 18, 2019 4:00 p.m.

****Meeting minutes approved on August 15, 2019****

Approximate meeting length: 56 minutes

Number of public in attendance: 2

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Despain

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
NEIL COHEN	x	x	
NICOLE OMER	x	x	
TOD YOUNG	X	x	
BROOKE DERR	x	x	
DON DESPAIN (CHAIR)	x	x	
LAYNEE JONES (VICE CHAIR)			x
JAMES PALMER	x	x	
CHRISTIE HUTCHINGS			x
VICTORIA REID	x	x	
F BARTON REULING	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Jake Young	x	x
Jim Nakamura	x	
Zach Shaw (DA)	x	x

PUBLIC HEARINGS

Hearings began at – 4:06 p.m.

Commissioner Young nominated Commissioner Cohen for Chair Pro Tem, Commissioner Omer seconded that motion. Commissioner Cohen accepted.

Commissioner Despain arrived at 4:10 pm

30952 – Paul Warburton requests a waiver for development on slopes exceeding 30% (Less than 40%). **Zone:** FR-0.5. **Location:** 9339 Fox Haven (Mount Haven Subdivision). **Community Council:** Big Cottonwood. **Planner:** Jim Nakamura

Salt Lake County Planning and Development Services Planner Jim Nakamura provided an analysis of the Staff Report.

Commissioner Despain confirms this falls between 30% and 40%. Commissioner Omer said she isn't familiar with the Mt. Haven Subdivision. Commissioner Cohen confirmed this is eligible for a waiver. Commissioner Cohen confirmed this must conform to the rest of FCOZ and verified during building permit. Commissioner Young said one drawing has a different concept to where the cabin goes than another

drawing. Commissioner Despain confirmed soil testing is required. Commissioner Young said there will be a lot of excavation. Commissioner Despain said he assumes Mt. Haven doesn't have year-round water. Mr. Nakamura said he isn't certain and there may be people living there full time, but they may store water. Commissioner Despain said he is aware homes above ground that have underground water tanks. Mr. Nakamura said not required in our ordinance.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Paul Warburton

Address: 764 East 80 South, American Fork

Comments: Mr. Warburton said the subdivision was created in 1962, has gone through several owners, and last two owners intended to develop, but due to complexities of building in FCOZ and financial, he was able to acquire last year. Saw the slope challenges, drew an initial theory of what could work, but hadn't met with or reviewed ordinances. Upon ordinance review, it was noted that the home is not connected to sewer and needed septic, so drawings done by engineers (together with a slope analysis) to design a system for this lot. If this is approved, flatter slope is where septic sits. Met with geo tech engineering and did a slope analysis, approved by health department for septic. Building space reduced, within requirements.

Commissioner Omer asked location. Mr. Warburton said 8.7 miles up canyon, right before donut falls there is a parking area and below is Mt. Haven. Commissioner Cohen asked who Michael and Victoria Amorai were and was informed they were the previous owners and had the survey done. Mr. Warburton said it's been a dream to live up there and would be a second home for recreation. The water situation is connected to a well and system throughout the subdivision. Lines were not six feet below and have to shut off the water system, but some people have installed a water tank. Plans include a separate room to house a larger water tank and a pump throughout the winter months. Commissioner Palmer confirmed only a slope waiver before them. Mr. Nakamura said staff determined applicant couldn't build without this waiver.

Commissioner Cohen motioned to open the public hearing, Commissioner Palmer seconded that motion.

Speaker # 2: Citizen

Name: Will McCarvill

Address: 3607 Golden Hills Avenue

Comments: Mr. McCarvill said he understands the slope stability analysis has yet to come in.

Mr. Nakamura said it is currently under review. Mr. McCarvill said should finish the review before a decision, when you have something like 30 percent slope limit you have a limit of the law and spirit of the law and is the slope safe to build on. Concerned that slope stability and safety of house has yet to be presented to make a decision. Should have facts, data and analysis before you to make a decision based on, so they aren't arbitrary and capricious. Making a decision before the facts is premature. Have all information regarding FCOZ and spirit of the law to make an informed judgement.

Counsel Zach Shaw said if interested there is a provision in the slope waiver ordinance that the planning commission can make conditions, which could include that technical review process be completed to allow the building and slope analysis and study to be completed and satisfactory. Commissioner Omer asked if there are 30 percent lots next to it which may have similar soil. Mr. Nakamura said across the street, there was a permitted cabin that they didn't have to build on over 30 percent and it had enough for septic and the structure. Commissioner Cohen said slope stability study is part of the technical review. There are enough safeguards in the building permit process. Mr. Nakamura said before it gets to building permit, slope analysis will be done before and the concerns will be addressed. Commissioner Palmer said doesn't

hurt to include that condition. Mr. Shaw said ordinance doesn't provide for application to come back to the planning commission.

Speaker # 3: Applicant

Name: Paul Warburton

Address: 764 East 80 South, American Fork

Comments: Mr. Warburton said the slope stability analysis did include the cabin and septic, and based on soil and dug holes, it did pass.

Commissioner Young motioned to close public hearing, Commissioner Cohen seconded the motion.

PUBLIC PORTION OF MEETING CLOSED

Motion: To approve application #30952 with condition applied to meet all technical review components, including slope analysis approved by the county.

Motion by: Commissioner Palmer

2nd by: Commissioner Reid

Vote: Commissioners voted unanimous in favor (of commissioners present)

BUSINESS MEETING

Meeting began at – 4:39 p.m.

- 1) Approval of Minutes from the June 6, 2019 meeting.

Motion: To approve minutes from the June 6, 2019 meeting as presented.

Motion by: Commissioner Omer

2nd by: Commissioner Young

Vote: Commissioners voted unanimous in favor (of commissioners present)

- 2) Other Business Items (as needed)

Commissioner Reid asked if the process is to have an application come before them before the technical is approved. Mr. Nakamura said yes, and the applicant is aware that this is not his approval to build, this is just for the slopes. Mr. Shaw said that technical review is expensive, and this should be approved before the technical process and the developer now knows the use or waivers are approved.

Confirmed the August 15th meeting date, rather than the 1st.

Jake Young provided an update on the general plan. Short discussion on carrying capacity. Mr. Young said to read the forest service document and review the link sent out. The forest service said at CWC has no intent to do a carrying capacity.

Discussed that if the forest service accepted the carrying capacity, we would put it in to the plan, but not the county's responsibility or authority to do this, especially where UDOT controls roads. Mr. Shaw asked if Mr. Young is envisioning a public hearing at the next planning commission meeting. Mr. Young said he hadn't planned and hoping to introduce the draft in August and have a month to digest. Commissioner Reuling asked if UDOT has brought up concepts of transportation. Mr. Young said transportation is a limiting factor and part of the EIS. Commissioner Palmer recommended tracking down John Thomas' presentation from last month. Commissioner Derr said

he is aware of the plan, want to accommodate cars and bicyclists, but also concerned for safety. He counted 100 cars at the S turn and no place for bicycles, no place to walk. Mr. Young said promote limiting parking next to the river and current plan promoting a more active parking management. Commissioner Reid recommended the idea of pushing cities to have more parks, so all the recreation isn't going to the canyons. Salt Lake County Planning Commission is looking at the west bench general plan, having discussions to get more trails, Rose Canyon and Yellow Fork with trails. Mr. Young said at 6 acres per 1000 residents, Utah does fall behind other parts of the country per park acreage. Commissioner Derr said in addition to parking you have toilet problems. Mr. Young said goal in the general plans is dedicating funding for capital improvements and maintenance. Commissioner Despain said progress made on the toilets in Silver Lake. Commissioner asked if there are 150 cars at the S turns, what's there? Commissioner Derr said three trailheads are there. Mr. Young said need summer bus service, doesn't exist.

Commissioner Omer excused herself at 4:55pm.

MEETING ADJOURNED

Time Adjourned – 5:02 p.m.