UTAH COUNTY PLANNING COMMISSION

Minutes of meeting held May 16, 2006

PRESENT:	Bill Ferguson, Chair	EXCUSED:	Barry Miller, Member
	Dean Miner, Jr., Member		Tom Liddle, Member
	Rebecca Albiston, Member		
	Jan Anderson, Member		
	Lyle Hillier, Member		
	Richard Pattee, Member		
	Larry Ballard, Alt. Member		
	Jeff Mendenhall, Director of Community Development		
	David Shawcroft, Deputy County Attorney		
	Shirley Englund, Secretary		

OTHERS PRESENT: Bryce Armstrong, Brandon Snyder, Dave Peris, Peggy Kelsey, Utah County Community Development; Dennis Barker, Utah County Fire Marshal; Edward Kimball.

The meeting was called to order at 6:00 p.m. by Dean Miner, Vice-Chair of the Utah County Planning Commission with six members and one alternate member seated. Lyle Hillier was welcomed as a new member of the Board, having been appointed by the County Commission on May 16, 2006 to fill the remainder of Barry Miller's term who resigned for medical reasons. Commissioner Ferguson arrived later in the meeting. The pledge of allegiance was led by Commissioner Ballard. The following is an account of that proceeding:

APPROVAL OF MINUTES - Regular meeting held on March 21, 2006

Motion: Lyle Hillier Second: Jan Anderson

That the minutes of the April 18, 2006 meeting of the Utah County Planning Commission be approved as presented. The motion passed by a unanimous (6-0) vote.

UTAH COUNTY PLANNING COMMISSION - Amend the Utah County Land Use Ordinance, definition of a private preschool, and to allow private preschools as a permitted use in the RA-5, RR-5, TR-5 & M&G-1 Zones

Jeff Mendenhall explained the amendment was continued from the April 18, 2006 meeting where the public hearing was held, and the matter was then tabled to allow staff to review the state code, legislative updates, as well as the cities that are under contract with Utah County to respond with emergency services. The state code amendment now aligns the health department and building codes with uses that are allowed in the 'Group R Occupancies'. There are three types of state licensing. Residential certificates allows up to eight children in the home. A family group license allow 9 to16 children, but requires two or more adults in the home at all

times. Staff also looked at the distance from fire stations within a five mile radius. Approximately 99% of the unincorporated population are within that radius, however a response time could not be estimated. After reviewing the matter, staff recommended approval.

Peggy Kelsey, from County Business Licensing, responded to questions noting that she just completed a state business license conference and one of the presenters spoke on this specific subject. Each applicant for a state license must complete ten hours of training annually which includes CPR and a back ground check. The county fire marshal, health department and business license officials also visit the site annually. A state license is good for 24 months, however the preschool certificate is only good for 12 months, so the applicant will be certifying annually, which allows extra control every 12-24 months depending the type of business they have. In order to get a state license, the applicant must show a fire evacuation plan and procedure. Peggy and the fire marshal go out to each county business and inspect evacuation plans and equipment.

Larry Ballard was in support of approval in the TR-5 and RR-5 zones, however was more hesitant in the more rural areas due to the longer response time for emergency services. He felt the definition which allows up to 16 children posed a problem. He referred to the legislative intent of the goals and policies relative to permitting agricultural land being used for business where water and service may not be readily available.

Mr. Mendenhall reiterated that it is the intention of staff to, where possible, align the county with the state code.

Dennis Barker noted that most fire stations under contract with Utah County are volunteer units, and consequently response time will be a little longer. With annual inspections, adequate training, working equipment and evacuation plans could be followed up on. Currently there is only one day care in the county, which is in American Fork. He felt there were more out there and if approved, would give the county a vehicle to get into the homes and bring them up to standard, making the daycare safer for the children.

Motion: Rebecca Albiston Second: Jan Albiston

That the Planning Commission recommend approval of the proposed text amendments to the definition of a public and private preschool, and to allow private preschools within single family residences in the RA-5, RR-5, TR-5 and M&G-1 Zones, based on the following findings:

1. The amendment is in compliance with the State of Utah, Department of Health, requirements for licensing.
2. A private preschool is a use that is compatible with land uses within the four zone districts stated.
3. Adopted State health, fire construction and safety codes are required to be met as part of the licensing approval and are extensive in their coverage.

4. Private preschools are only allowed for a maximum of four hours per day per child. While family day care, currently a permitted use in the same zone districts, has no maximum hours.

The motion passed by a unanimous vote.

[Bill Ferguson arrived and took his place as Chair]

SNOWBIRD CORP - PROPOSED SITE PLAN AMENDMENT FOR MINERAL BASIN SKI AREA IN THE CE-1 ZONE, Sections 10-22, T3S, R3E, American Fork Canyon area

Mr. Mendenhall explained that in 1997 Snowbird Corporation was granted a conditional use permit for accessory ski lifts and associate facilities as per Section 5-5-C-10 of the Utah County Land Use ordinance with the original site plan calling for the Mineral Basin double chair lift, Mineral Basin Quad lift, a warming hut for ski patrol and lift operators, hiking trails, ski runs, service road, skiers access tunnel and a bomb tram option. The proposed amendment to the Snowbird Ski Resort, Mineral Basin site plan would add additional area and a mountain rescue station warming hut with storage of safety and rescue gear in sections 19, 20, 29 & 30 in T3S, R3E, in the Mineral Basin area of American Fork Canyon area. This is in the CE-1, Critical Environment zone. There are now two ski lifts in that area with some access roads, and a tunnel at the top which allows skiers to access Mineral Basin. Mr. Mendenhall explained that the proposal is in the name of safety in the sense that it is to place a rescue station lower into the mineral basin area so when a skier or summer hiker is stranded, there will be a rescue station and warming facility. This would require expanding the proposed boundary of the Snowbird parcel (11:058:0037). Staff recommend approval with three conditions as found in the May 16, 2006 staff report.

Edward 'Ted' Kimball, representing Snowbird, and also a resident and property owner in the area, explained the need for a base camp for rescue personnel and equipment in this area. This back country is used by the public both summer and winter, and continues to be a concern for Snowbird, Utah County and the local property owners as well. Mr. Kimball explained that the base camp would be a locked facility housing radios and rescue equipment used by rescue patrols, but would be a shelter which would also serve to orient lost hikers or winter sportsman until help would arrive. As to the issue of vandalism, there is a heavy locked gate which has been in place for three years. The County Sheriff is investigating some problems they have been having.

Motion: Dean Miner Second: Rebecca Albiston

That the Planning Commission approve the amended plan for the Snowbird Corporation for an expanded boundary to include a rescue station warming hut in the Mineral Basin accessory ski area to the Snowbird Ski Resort if the following findings can be met and the following conditions attached:

Findings:

1. It meets the requirements of section 7-24-D, standard 3(a) through (g);
2. It is an existing accessory ski lift and associated ski facility area connected to the Snowbird Ski Resort;
3. The expanded boundary is to accommodate the best location for the rescue station warming hut facility.

Conditions:

1. That the boundary of parcel 11:058:0037 include the proposed expansion and that no new parcel be created which would be in violation of the Utah Code Annotated 1953 as amended, Section 17-27a-103(38), definition of "subdivision";
2. That no public access be allowed or created from American Fork Canyon onto the Snowbird Mineral Basin Accessory Ski area;
3. That Snowbird Corporation submit an operations plan for the maintenance of the Rescue Station warming hut facility for both structure and safety supplies and equipment.

The motion passed by a unanimous vote.

REPORT OF DIRECTOR - Discussion of the General Plan Revision

Jeff Mendenhall explained that a rough draft of the general plan was handed out at the April meeting for the commissioners to review, which is basically a brief version of the existing plan, and incorporating the 'Goals and Policies' as well as the 'Moderate Income Housing Plan', as currently adopted. Mr. Mendenhall has spoken with Public Works and they are in the process of reviewing the status of various county roads that would be collector arterial status and also new corridors which the County Commission has asked them to look at, mainly on the west side of the county. Completion date is anticipated to be some time in June of this year. The County Attorney's office is also reviewing the rough draft. Another element under consideration by staff is an environmental element which could include conservation protection of natural resources including watershed, wildlife, fisheries, etc. As in the past, the county will continue to coordinate with cities in their annexation and transportation plans and needs. Mr. Mendenhall explained that the bulk of what has been removed in his effort to condense the general plan is the history and data sections, leaving mainly county policies.

The Planning Commission was pleased with Mr. Mendenhall's presentation, noting that they would like the environmental elemental element included, and for staff to continue in their efforts with the general plan.

Bill Fergusen noted that presently the county is resurfacing 119,000 South in the Spring Lake

area, where gravel truck travel is heavy. He has observed a portion of that roadway where subdivision lots should have required setback easements to be granted to the county. He questioned why the county is not taking the opportunity to widen the road when safety is an obvious issue in that area, and what it would take to get the roads department to exercise their right to widen that road.

Mr. Mendenhall did not know, but will check with the roads department and report back.

Mr. Fergusen also had heard rumors about the Legacy highway plans. Mr. Mendenhall responded that Commissioner Ellertson's directive to Public Works and Paul Hawker was that they should look at the designation of not only our current roads, but also establish corridors for new roads.

Mr. Mendenhall will continue working on the general plan as well as working with staff on preparing the Land Use Ordinance to be reformatted, updated and adopted in book form.

Motion: Rebecca Albiston Second: Richard Pattee

As there were no other matters to be discussed, the meeting adjourn. The motion passed by a unanimous vote and the meeting adjourned at 7:15 p.m.

Minutes respectfully submitted by: **MINUTES APPROVED BY**:

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Shirley Englund, Secretary **Bill Ferguson, Chair**