

UTAH COUNTY PLANNING COMMISSION

**Minutes
September 20, 2011**

Present: Jan Anderson, Chair
Mike Stansfield, Vice-Chair
Helina Carter-Thomas
John Glen Stevens

Excused: Janice Reeb
Odell Miner
Kenny Parcell, Alternate

Jeff Mendenhall, Director Community Development Dept.
Dave Shawcroft, Deputy County Attorney
Christina Sutton, Secretary

Others Present: Dennis Barker, Utah County Fire Marshal; Bryce Armstrong, Brandon Larsen, John Ewing, Community Development Department; Mitchell Jones, Ginger Woolley, Francine Bennion, Marty Banks, Bob Bonar

The meeting was called to order at 5:50 p.m. by Jan Anderson, Chair of the Utah County Planning Commission, at 100 East Center Street in Room 1400 of the Utah County Administration Building, Provo, Utah.

Commissioner Anderson welcomed those present; Helina Carter-Thomas led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion: Helina Carter-Thomas Second: Mike Stansfield

Motion to approve the minutes of the September 6, 2011, meeting of the Utah County Planning Commission. The motion passed by the following vote: "Aye", Jan Anderson, Mike Stansfield, Helina Carter-Thomas, John Glen Stevens; "Nay", none.

**SNOWBIRD SKI & SUMMER RESORT - proposed Land Use Ordinance Text
Amendment to Section 3-47, Accessory Ski Lifts and Associated Facilities in the CE-1 Zone.**
Continued from July 19, 2011, meeting; public hearing was held and closed

Jeff Mendenhall indicated that items of concern from the Planning Commission have been considered in the changes to the text amendment. In the Standards Section 3-47-H it states that the development must be located in the CE-1 zone on a zoning lot which either abuts a recorded recreation resort plat in unincorporated Utah County containing a ski resort or abuts an existing ski resort in an adjoining county. If the zone were changed to CE-2, then frontage and access would be needed from the Alpine Loop Road for any development. The proposed amendments

Planning Commission
September 20, 2011

will allow for some expansion, but not a complete recreational or mountain resort. There would be a slight increase in property taxes collected depending on the new facilities that could be added to the resort; point of sales and sales taxes would remain on the Salt Lake County side. Over time there could be additional lifts, and other mountain resort facilities that would accommodate an increase of people but minimum increase of density for land uses. Building inhabited structures on a slope of 30% or greater is not allowed, however at a ski resort it is the elevation change that allows you to go down the hill. Wording has been included so that permitted activities are integrated into the mountain features and are not stand alone amusement park type rides or facilities. This type of development must be on land privately owned by a resort. These are conditional uses, and any change would require approval from the Board of Adjustment and a public hearing.

Mike Stansfield inquired about fire requirements.

Dave Shawcroft replied that when a specific application is received by the Board of Adjustment, it would be addressed by the Fire Marshal at that time.

Helina Carter-Thomas was concerned that all-terrain-vehicles often tear up the land. She wondered if it might be more of a problem in another area in the zone.

Jeff Mendenhall replied that those vehicles should be driving on existing service roads or trails.

Marty Banks, legal counsel for Snowbird, commented that the ATV opportunity would be by guided tour, and patrons would not be allowed to just ride anywhere.

Dave Shawcroft suggested new wording to be included in Section 3-47-C-7 for all-terrain-vehicles.

Jan Anderson asked for clarification on Section 3-47-H-1, concerning zoning lots.

Jeff Mendenhall replied that this would mean a legal lot. Many of the lots in the Snowbird area are old mining claims and they are legal lots.

Mike Stansfield wondered if there was a way for the county to collect any sales tax.

Bob Bonar, General Manager for Snowbird, said they pay property taxes on the improvements on the back side of the mountain and might explore the possibility for sales tax.

Jan Anderson asked Mr. Bonar if there was a final overall plan for improvements at Snowbird and how many people might use those improvements. He also wondered if helicopter pads were used.

Planning Commission
September 20, 2011

Helina Carter-Thomas inquired about snowmobile use.

Bob Bonar responded that additional projects are envisioned, however, there is not a final plan at this time. He said that they are considering additional lifts in the mineral basin because deep powder snow is popular; several thousand people might be in mineral basin on an average day of good powder snow. There are several hundred people that snowmobile each year and connect to other trails, one of which goes to Midway. A zipline would parallel an existing lift in mineral basin; and expanded hiking and mountain biking trails are desired. Snowbird has continually tried to preserve the water quality and be respectful of the mountain area. Wasatch Powder Snow Birds, a separate company with a special use permit from the US Forest Service, does fly in skiers by helicopter and they ski on federal lands and forest lands, but occasionally land and take off from private property points as allowed. There are guided tours for snowmobiles, but they are allowed on private property area trails without a guide.

Francine Bennion commented that although Snowbird is a well-managed organization, she is concerned that the code is being changed for one (1) applicant, rather than making the applicant fit the code. Changing the code impacts every property and canyon and critical environment in the CE-1 Zone and has implications for other future development. She feels the Planning Commission should concentrate on facilities that focus on preserving the intent of the code and not on specific activities.

Jeff Mendenhall remarked that for these proposed changes, a property in Utah County must to be adjacent to an existing ski resort.

Helina Carter-Thomas commented that she didn't want to change codes for just one applicant, but this ordinance seems to be specific enough that it will not adversely affect other properties.

Jan Anderson commented that because of Snowbird's work with respect to environmental sensitivity and positive input from public comments, and staff comments, this ordinance has become better and reflects the cooperation between applicant and staff.

Motion: Mike Stansfield

Second: John Glen Stevens

Motion that the Utah County Planning Commission recommend to the Utah County Commission **approval** of the land use ordinance text amendment to Section 3-47, Accessory Ski Lifts and Associated Facilities, based on staff findings and with the following change to 3-47-C-7:

7. Snowmobile, all terrain vehicle, and horseback riding concessions; provided that all terrain vehicle use shall be restricted to designated roads and designated all terrain vehicle trails.

**Planning Commission
September 20, 2011**

The motion passed by the following vote: “Aye”, Jan Anderson, Mike Stansfield, Helina Carter-Thomas, John Glen Stevens; “Nay”, none.

**UTAH COUNTY PLANNING COMMISSION - proposed Land Use Ordinance Text
Amendment to Section 3-24-C, Open Pit Extraction of Earth Products, Conditions**

Jeff Mendenhall stated that this amendment is being changed to eliminate any confusion as to which jurisdiction is responsible for the bonding of an earth products mining operation in Utah County, the Department of Oil Gas and Mining (DOGM) or Utah County. When a new pit is opened or expanded, the applicant would have to submit a written response from DOGM stating which entity has jurisdiction over the pit.

Jan Anderson asked for clarification.

Jeff Mendenhall responded that Utah County wants DOGM to make the determination as to the responsible jurisdiction since they have the expertise to determine if minerals or just sand and gravel would be extracted. Utah County would still issue the Business License.

John Glen Stevens inquired about cost to the applicant.

Dave Shawcroft responded that the county has tried to eliminate duplicate costs since previously a company may have had to bond with the county as well as the state.

Jeff Mendenhall replied that the county would still have control concerning access and maintenance of the roads and dust control.

Motion: John Glen Stevens

Second: Mike Stansfield

Motion to open the public hearing. The motion passed by the following vote: “Aye”, Jan Anderson, Mike Stansfield, Helina Carter-Thomas, John Glen Stevens; “Nay”, none.

There were no public comments.

Motion: Mike Stansfield

Second: John Glen Stevens

Motion to close the public hearing. The motion passed by the following vote: “Aye”, Jan Anderson, Mike Stansfield, Helina Carter-Thomas, John Glen Stevens; “Nay”, none.

Motion: John Glen Stevens

Second: Helina Carter-Thomas

Motion that the Utah County Planning Commission recommend **approval** to the Utah County

**Planning Commission
September 20, 2011**

Commission of the Land Use Ordinance Amendment to Section 3-24-C based on staff findings. The motion passed by the following vote: “Aye”, Jan Anderson, Mike Stansfield, Helina Carter-Thomas, John Glen Stevens; “Nay”, none.

OTHER BUSINESS

Jan Anderson asked if the 5:30 p.m. starting time for Planning Commission was acceptable for staff and board members.

Jeff Mendenhall answered that it was good for the staff. He commented that we don’t currently have a full Board, and are anticipating that the vacancy will soon be filled.

Jan Anderson asked for a update on the composting application that was withdrawn.

Jeff Mendenhall replied that there has been no further contact with the applicant.

ADJOURN

_____ Motion: Mike Stansfield

Second: Helina Carter-Thomas

Motion to adjourn. The motion passed by the following vote: “Aye”, Jan Anderson, Mike Stansfield, Helina Carter-Thomas, John Glen Stevens; “Nay”, none. The meeting adjourned at 6:30 p.m.

Minutes respectfully submitted by:

APPROVED BY:

Christina Sutton, Secretary

JAN ANDERSON, CHAIR