

Sevier County Planning & Zoning Commission
February 13, 2019

Minutes of the Sevier County Planning Commission meeting held on the thirteenth day of February, 2019 in the Commission Chambers of the Sevier County Administration Building, 250 North Main, Richfield, Utah. Those present included: Chairman Ryan Savage, John Worley, Caryl Christensen, Troy Mills, Lisa Robins, and Garyn Mickelsen.

Others attending included: Building Official/Zoning Administrator Jason Mackelprang, Building and Zoning Secretary Mistee Robbins, and others as listed on the roll.

Minutes of the January 9th Planning Commission Approved:

Minutes of the January 9th Planning Commission meeting were reviewed and approved on a motion made by Troy Mills, second, Caryl Christensen, unanimous.

Minor Subdivision Application Approved for Gordon Bell-Bell Family Subdivision:

The Planning Commission considered a three lot minor subdivision for Gordon Bell located at approximately Daniels Canyon Road, Koosharem. Mr. Bell explained to the Planning Commission that there would be only one seasonal dwelling at this time. However, the other two lots would be for family, for future seasonal dwellings. Mr. Bell explained that he would like to start his construction process as soon as possible. Chairman Ryan Savage inquired about the well on a one acre lot, stating one acre is not a big enough lot for a well and a septic. Mr. Bell replied by stating that there is not water at this time, however, if in the future he has water, he will make sure to have that separation with the water and the well. Caryl Christensen inquired about the county road, asking if Mr. Gordon would need extra accesses or if one access is sufficient for three lots. Mr. Bell stated there is one access, and that he will be making improvements and currently has his application in at the County Road Department. Caryl Christensen stated that she would like a letter from the County Road Department. Mr. Bell stated that once the weather clears, that Bob Watts of the County Road Department will show Mr. Bell what he will be requiring of him on the access and the road. Garyn Mickelsen made a motion to approve the three lot minor subdivision, second, John Worley, unanimous.

Concept Review for a Planned Unit Development Approved for Sam Sours-Sigurd Solar Farm:

The Planning Commission then considered a Planned Unit Development Concept Plan for Sam Sours for a solar farm to be located at approximately 1.5 miles west of Sigurd, Utah. Sam Sours of Community Energy Solar LLC, spoke to the Planning Commission regarding the concept review for the Planned Unit Development rezone for the Sigurd Solar Farm. Mr. Sours explained that he would like to add an additional 150 acres to the previously approved project and that this is a separate application but the same project. The first approved application was in 2016. Mr. Sours explained that this is the exact same proposal, 16-20 megawatts of additional solar single access point on the existing county road, tracking solar arrays, east to west as the sun rises and shines. Mr. Sours went on to explain that this is interconnected to the Sigurd Substation and would like to start construction later in 2019 into late 2020. Mr. Sours would like to present the preliminary review next month in March. Mr. Sours stated that in his previous application that there was 800 acres, in which 600-650 of those acres would be used for the solar. That would remain the same, this new application would be an additional 150 acres in which 120 acres of that would be used for solar as well. Mr. Sours explained that there is a formal design package with the formal paperwork. Mr. Sours explained that they have a lease with Chris Fullmer. Caryl Christensen stated that he will need copies of the new ownerships, she also stated that this is a good piece

of ground for this project. Troy Mills made a motion to approve the concept review for the Sigurd Solar Farm, second, Caryl Christensen, unanimous.

Regular meeting adjourned at 6:11p.m.

Public Hearing-Planned Unit Development-Danny Levie RV Park:

Chairman Ryan Savage recused himself from the Planning Commission, stating he is representing Danny Levie for the Planned Unit Development. Vice Chairman John Worley took charge over the public hearing. Mr. Worley welcomed the public and stated that the Planning Commission is prepared to take comment. With that said, Mr. Worley counted the number of people that signed up to speak, he stated that the public will have two minutes to state their comments, and that they are to state their name and where they live.

Ryan Savage of Savage Albrecht Engineering spoke to the public and Planning Commission about the Planned Unit Development for an RV Park for Danny Levie. Mr. Savage explained that he has a letter of approval for the water. That John Chartier of the State Health Department has agreed and approved the use in the well protection zone, explaining he will need to design it. Mr. Savage went on to say that he has a copy of the FEMA map of the property and they will have sewer and water on the outside of the flood plain, they will be dry and self-contained. The wetlands to the south east of the river will not be affected. Mr. Savage stated that there will be no work on the river at all on this project. The RV park water from the Cove Special District system will be hooked up to the fire system for fire fighting, if needed. The access is from Sevier Hwy. Mr. Savage explained that they have a letter from the County Road Department. There will not be access from Hwy 89. It is a 20 mile per hour zone at the access point, explaining that ATV's will be there as well, stating this is the thought on the RV park, that ATV's will be invited to be there. Hunting will not be allowed at the park or around the park.

At this time, Vice Chairman John Worley reminded the public that they will have two minutes to speak and to show reverence on their part.

Reginald Bingham, Sevier: Mr. Bingham stated that the county had received his letter of concerns and wanted to give his time to Holden Jones.

Bernice Head, Richfield: Bernice Head stated that she feels the RV park will be a great addition to the Sevier County area and that it will be a great place to park and be safe and approved for RV's.

Holden Jones, Sevier: Mr. Jones stated that the county has received his packet of concerns, stating his concerns are the irrigation and canal damage to the adjourning farm, the canal was replaced from the Army Corp of Engineers 2005-2006, stating that the drainage and canal system is a big concern for them. Stating that Exhibit A in the packet that was provided to the county is a picture of the proposed park, and the current condition of the ditch. Stating that the Resource Management Plan states it is the county's responsibility to have the flood zone maps. Mr. Jones stated that Danny Levie is proposing the RV park be built in a flood zone and that Mr. Levie is abutting their property and that the county needs to address this.

Toni Ehrle, Monroe: Toni Ehrle stated that this RV park is a wonderful opportunity for families in Sevier County. Stating that she moved to Sevier County from California four years ago and that she would like to have a family area and place to utilize, and feels that as long as everyone is doing things by the book, that this would be awesome. Toni Ehrle continued by stating she ran an RV resort for three years in California, no law had to be called, she ran a wonderful park, and that families enjoyed the RV park. She

stated that Sevier County does not have a lot of places for families, and that she feels this RV park would be a place to hang out and spend time with family and friends.

Mark Cash, Richfield: Mr. Cash stated that there has been issues with the ATV jamboree and that he got opinions from other towns that think that this RV park is a great idea. Stating that we need a nice place to have ATV's around and be stationed with our children. A place where the kids can go fishing and spend time with family and the kids. He went on to state that parks get full, so they go looking for the next closest park, so why not have a good place for people to go, stating that a lot of people go to the higher elevations for the woods and trees, however, in lower elevations you can stay longer if you have health issues.

Josh Grant, Joseph: Mr. Grant feels that an RV park will bring people here and will want to eat here and put money into our community and county, stating that people that have RV's and ATV's are the type of people that are not looking to cause problems and vandalize properties.

Lani Levie, Sevier: Lani Levie stated that she is a landowner in Sevier and that her property butts up against Danny Levie's RV park proposal. She wants her neighbors and all the people at tonight's meeting to know that she is ok with it and that she has had long discussions with Mr. Levie on this RV park, stating that she thinks it will be a good thing and that her children are also ok with the property butting up on the property.

Grant Fowkes, Sevier: Mr. Fowkes stated he is quite interested in property rights, stating that Mr. Levie has an opportunity to do something with a piece of property. Stating that we want to make sure that the RV park is up to standards and that it will be an asset to not only the county but to Sevier. The county has ordinances and that it will be kept up, stating he thinks it is positive for the county.

Cal Christensen, Monroe: Mr. Christensen stated that he is an ATV jamboree guide. Stating there is no rife rafe with the type of people that come to these areas. These are people who have money to vacation, and are top quality people. They will be good people.

Sevier County Building/Zoning Official Jason Mackelprang stated that we are taking written public comment until Friday, February 15, 2019 5:00 p.m. being the deadline.

Caryl Christensen inquired to Mr. Levie and Ryan Savage about the containment with the RV park, Mr. Savage stated they will take care of it. Caryl Christensen asked if the canal was usable and if Mr. Levie had messed with it, in which Mr. Levie stated yes, however he will put a road in, stating that he put a nice culvert in there, and met with the canal company, but had to wait until he has water. Stating the waterline is under the canal, it caved in. Stating no one is irrigating right now and that it will be there. Caryl Christensen inquired about the ditches, asking if there are any ditches that people have access to, in which Mr. Levie replied that will be the first thing that he does, is put the culvert in. The last couple of years the water is put into it and the bottom of the ditch is fine, however, he needed to wait until he is approved. Stating he cannot put the water line in for two weeks. Caryl Christensen stated that approved or not, Mr. Levie will need to put the water line in. Caryl Christensen inquired of Mr. Holden Jones, who is on the canal board, about the canal situation, in which Mr. Jones stated that Danny Levie is not to do anything with the canal until they make the decision, stating he has been warned several times not to touch the water. Mr. Mackelprang stated that this is between the canal company and Danny Levie, in which Danny Levie stated this is between Danny and the Jones'. Mr. Savage stated that time is an issue. Blake Zobell stated that if they are trying to speed things up, that they need to get with the canal company and take care of this as soon as possible. Also stating that is his opinion for both parties. Lisa Robins stated the canal company holds the key to that. Ryan Savage stated that the ordinance states that they cannot do any work

until he is approved, however, the deadline is March 1st for water, inquiring if Mr. Levie can put the culvert in.

At this time, Vice Chairman John Worley stated that from looking over the list of the public that wanted to speak, that there was still ten minutes for public comment. Mr. Worley invited anyone that came in late or did not sign up to speak, that he was giving them the opportunity now.

Destry Jones, Sevier: I have concerns, but I think we need to look at the history of that place and the flood from 30 years ago when it was underwater. It moved half a mile and has been moved by the state to a closer channel, north east side, river passed through it. It could happen again. If we get a bad year, there will be a lot of run off so it could happen again.

Vice Chairman John Worley commented on how proud he was for the public handled themselves. He also set the Special Planning Commission Meeting for Wednesday, February 27, 2019 at 6:00 p.m. in the Commission Chambers. At this time Caryl Christensen made a motion to close the public hearing, second, Lisa Robins, unanimous. Regular meeting re-opened.

Conditional Use Permit Approved for Kirk Harris for Gravel Pit, Rock Crush and Compost:

The Planning Commission then considered a Conditional Use Permit for Kirk Harris for a gravel pit, rock crushing and compost located at 2450 North 1570 East, and also 1850 East Sevier Valley Canal Road, both Richfield, Utah. Kirk Harris explained to the Planning Commission that he would like to have a gravel pit to crush rock. Stating that in the future he would like a new grinder to grind everything, in which John Worley inquired if tress and limbs can go into that, in which Mr. Harris said yes. Mr. Savage stated that gravel for flood retention is pretty good rock. Troy Mills suggested that Mr. Harris check with MSHA, to make sure he does not need a permit with them. Caryl Christensen stated that it looked nice out there, really clean and that the County Road Department gave permission for the use of the county road. Troy Mills made a motion to approve the gravel pit, with the condition that Mr. Harris check with MSHA on a permit, second, Caryl Christensen, unanimous.

Minor Subdivision Application Approved for Floyd Rigby-Elk Meadows Subdivision:

The Planning Commission then considered a three lot minor subdivision for Floyd Rigby located approximately West Sampson Lane, Glenwood, Utah. Floyd Rigby was represented by Ryan Savage, who had recused himself from the Planning Commission. Mr. Savage explained that this is a three lot minor subdivision on Sampson Lane in Glenwood. Stating there are several houses on both sides, stating everything is included in the packet. John Worley inquired if there was a well per lot in which Ryan Savage replied yes. Caryl Christensen inquired if there would be a turn off to each lot on the county road in which Mr. Savage stated yes, and that he has spoken with Bob Watts of the County Road Department. Access will be off Sampson Lane and each lot will have its own access. However, Ryan Savage did not have his letter from the County Road in which that was made a stipulation for approval. Ryan Savage stated they will run power and gas down that road as well. Floyd Rigby stated that he and his son purchased that property and bought ground water rights with it. They had to transfer to each individual property. Each property has full irrigation rights and underground water. Stating he cannot build but has had several people wanting property so they bought it to sell it. When soil tests were done, they found that the water table is high. Caryl Christensen commented that no ditches run through there. Stating that there are still sprinklers and inquired to Mr. Rigby if he still uses them, in which Mr. Rigby stated that he will leave that up to the owners. Mr. Rigby stated that Tim Wallace has been utilizing and leasing that property from him. Mr. Savage stated that the water flows to the north. Lisa Robins inquired about fire hydrants, Ryan Savage stated that there is an electrical shut off on the well, the house will be separate.

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Troy Mills made a motion to approve the three lot minor subdivision with the condition that Ryan Savage provide a letter from the County Road Department, second, Blake Zobell, unanimous.

This is Blake Zobell's last night with the Planning Commission, everyone thanked him for his time and service and then welcomed Larry Hansen to the Planning Commission.

There being nor further business, Lisa Robins made a motion to close the meeting, second, Troy Mills, unanimous.

Meeting adjourned at 7:03 p.m.