

## Grand County Planning Commission Minutes

March 10, 2004

A regular meeting of the Grand County Planning Commission convened on the above date at 6:00 PM in the Council Chambers of the Grand County Courthouse.

**Members Present:** D.L. Taylor, Tom Rees, Kevin Wright, David Everitt, Dave Cozzens, and Tom Shellenberger. Susie Harrington was excused.  
County Council liaison; Joette Langianese.

**Others Present:** Planning Staff; Mary Hoffine, and other concerned citizens.

**The meeting was called to order at 6:00 PM**

**Approval of minutes:** Kevin Wright moved to approve the minutes as corrected, Dave Cozzens seconded and all voted in favor.

### **PUBLIC HEARING:**

**Conditional Use Permit for Intrepid Oil & Gas – Continued –** The P&Z continued the public hearing for additional information, which was for reclamation plan, noise and lighting plan.

This application is submitted by Richard Miller, PERMITCO, INC. on behalf of Intrepid Oil and Gas (Applicant). The owner of the property is the State of Utah. A permit to drill has been granted to Intrepid Oil and Gas by the Utah Department of Natural Resources. The decision-makers' task is to review the application against the adopted standards of the underlying zoning district and to consider the need for conditions to mitigate any impacts on surrounding land uses and the County as a whole.

The Applicant proposes drill a well known as the Cane Creek 2-1 on a site located east of S.H. 313 and north of Dead Horse Point State Park and Canyonlands National Park.

The site zoned RG, Range and Grazing. "Oil and Gas Drilling" is identified as a conditional use allowed in the District.

The application includes the following information:

1. Application form with relevant site, contact and ownership information;
2. Letter from John R. Baza, Associate Director, of the Utah Division of Oil, Gas and Mining (subsidiary of Department of Natural Resources), dated August 26, 2003, approving a permit to drill. The permit is good from one year from the date of approval;
3. Conditions of Approval, which include:
  - a. Requirement for compliance with applicable provisions of Utah Administrative Code,
  - b. Notification requirements,
  - c. Reporting requirements,
  - d. Requirement for compliance with Utah Antiquities Act, and
  - e. Requirement for compliance with conditions of approval outlined in the Statement of Basis;
4. (State) Application for Permit to Drill;
5. Confidential – Tight Hole report prepared by PERMITCO, Inc., with photographs and site maps;
6. Archeological Survey Report prepared by Carol S. DeFrancia, 4 Corners Archeological Services, which concludes no cultural resources present;
7. Letter from Robert P. Journeyvaz, Intrepid Oil LLC, authorizing PERMITCO, INC. to act as their agent; and
8. Application for Permit to Drill or Reenter.

Discussion – The reclamation plan was presented to State and Federal Administration, all lights are shielded since the State and National Parks are contiguous to the properties. There are three officers who monitor the operation to assure regulatory compliance. The State of Utah Department of Natural Resources has three regulatory officers in charge of the same task. A bond is in place assured by BLM and SITLA for reclamation and operations.

The County can only set conditions of approval but cannot deny the use. The Commission felt it is a moot point since the drilling has started and may even be finished and the conditions for approval have been addressed.

**Rim Village III Sketch Plan – Chuck Henderson applicant:** This application, submitted by Chuck Henderson (“Applicant”), proposes to subdivide approximately 20.6 acres in a MFR, multi family residential zone district. The minimum lot area in the MFR District is 2,200 square feet for multi family units and 7,500 for single family lots. The proposed residential lots range in size from condominium footprint sites, single family home sites averaging ¼ acre in size and 3 larger parcels for future development.

Tom Shellenberger moved to approve the proposed Sketch Plan, subject to the following conditions:

1. Compliance with reasonable recommendations of the County Engineer, Road Department, and the Fire Department;
2. Approval of a UDOT access permit;
3. Street connectivity to adjacent properties, as deemed necessary by the Commission; and
4. Define “future development” on Parcels A & B, consistent with current zoning.

Kevin Wright seconded and all voted in favor.

**Site Plan for K-Sue, Mike and Kelly Shumway -** Mike and Kelly Shumway, submitted an application (“Applicant”) for a 1,100 square foot addition to an existing commercial construction shop/office, which is less than 25% expansion of the existing buildings. The subject property consists of approximately 1.24 acres; properties to the North and South are HC, Highway Commercial, the properties to the rear is RR, Rural Residential.

Prior to the issuance of a building permit for commercial uses a site plan shall be reviewed and approved by the Planning Commission.

Dave Cozzens moved to approve the site plan subject to the following conditions;

1. Screening through the use of opaque fences, vegetative buffers or a combination along the lot lines that are adjacent to property in the protected zone (RR) or that contains a single-family use or duplex, pursuant to Sec. 4.10.
2. All outdoor light sources shall be fully shielded from view off-site in accordance with the requirements of Land Use Code, Sec. 4.6.
3. Refuse areas shall be fenced and located in accordance with the requirements of Sec. 4.4.3F.5.
4. Observe corner visibility Sec. 4.2.9., street intersection off of Overlook Road.

Tom Shellenberger seconded and all voted in favor.

**Site Plan for County’s Building on Highway 191 – Judy Bane Applicant -** Approval of a Site Plan Review for the constructed County Search and Rescue and Sheriff’s Office is requested by the County Administrator. The Land Use Code applies to all land uses, including the County; and in the interest of maintaining credibility, it is important that the County comply with its adopted standards and procedures.

The subject property now owned by Grand County and consists of approximately 2.4 acres and is located at 2600 Highway 191 South. Properties to the Northwest and Southeast are zoned HC, Highway Commercial, and properties to the Southwest are zoned RR, Rural Residential.

A site plan for the previous property owner, John & Ilene Johnston, was approved for this site (attached). The subject property was to be developed into a construction shop and storage units for boats and recreational vehicles. Grand County purchased the property for expansion of the storage needs for Search and Rescue/Sheriff’s Office, when it was already under construction for the previously approved use, and added square footage to the building.

The original site plan for Johnston included mini storage units at the back of the property, which the County will not be constructing, but they are planning a heliport for emergency use. The County is also requesting to have barbed wire on the top of the perimeter 6 foot fence for security reasons, which the County has already installed.

Tom Shellenberger moved to approve subject to the following conditions:

1. Approved storm drainage plan shall be completed prior to occupancy.
2. Approval of a UDOT access permit prior to occupancy.
3. All outdoor light sources shall be fully shielded from view off-site in accordance with the requirements of Land Use Code, Sec. 4.6.
4. Refuse areas shall be fenced and located in accordance with the requirements of Sec. 4.4.3F.5.
5. Fences shall meet the requirements of Grand County's Land Use Code unless a special exception is granted.
6. A landscaping, irrigated strip should be completed at least 15 feet wide along the front in accordance with Sec. 4.4, and all areas of the street yard should be landscaped.

Dave Cozzens seconded and all voted in favor.

**Public Hearing – County Building Fence Exemption** - The County Administrator submitted this application on behalf of the County (“Applicant”). The application seeks approval of a Special Exception from the requirements of the *Land Use Code*, Fence Standards, Sec. 4.3. Specifically, the Applicant is asking for the right to:

1. Install a 6 foot high chain link fence along the 50 foot setback of the front yard of the development; and
2. top the fence with barb wire for security reasons.

The rationale submitted in support of the Special Exception is summarized as follows:

Grand County Sheriff, search and rescue and the State Highway Patrol require security to the facility, thus barb wire and the 6 foot perimeter fence.

It was purchased with an existing building pad and the County had to work with existing improvements.

The application is submitted pursuant the procedures and standards of 6.17 Special Exception.

Kevin Wright moved to find that the requested Special Exception is necessary in this case in order to provide the County Sheriff with adequate security. Furthermore, approval will not adversely affect other properties in the area, will not materially affecting the character of development in the area or property values, and will be consistent with the purposes of the land use code; and, therefore to **APPROVE** a special exception to permit the installed barbed wire fence in the HC zone district with increased landscaping and buffering to satisfy the Planning Commissions approval.

Tom Shellenberger seconded and all voted in favor.

### **Work Session Topics**

**Review of Rogers Addition to Thompson Subdivision** – staff has included in the packed information regarding the approved preliminary plat. The heirs to the subdivision will be proposing a resolution to the road problem at the next meeting.

**Waste Management Definition** – Council tabled the Waste Management amendment to the Land Use Code for a definition of Waste Management. Staff drafted the following definition for review by the Commission.

Land uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material. Accessory uses may include recycling of materials, offices and repackaging and transshipment of by-products. Examples include recycling centers, sanitary landfills and waste composting, but shall not include hazardous-waste-collection.

Dave Everitt directed staff to advertise for an amendment to the Land Use Code to include the drafted definition. Tom Rees seconded and all voted in favor.

Kevin Wright moved to direct staff to draft code amendments for review at the next meeting for:

1. Exempting oil and gas drilling from the RG zone district if they have approvals by the State and/or BLM, and
2. Re-write Sec. 4.3 Fences and Walls to clarify the requirements.

Dave Cozzens seconded and all voted in favor.

**Adjournment:** Meeting adjourned at 8:30 p.m.