Notice is hereby given that the
Eastern Summit County Planning Commission
will meet in regular session
on Thursday, March 16, 2023
at the anchor location,
Ledges Event Center – Auditorium; 202 East Park Road, Coalville, Utah 84017

To participate in the meeting you may attend live or: Join Zoom webinar:
https://summitcountyut.zoom.us/j/99249026124 OR
To listen by phone only: Dial 1-301-715-8592, or 1-253-215-8782, Webinar ID: 992 4902 6124

AGENDA
Agenda items may or may not be discussed in the order listed.

6:00 p.m. Regular Session

1. Public input for items not on the agenda or pending applications.

2. Public hearing and possible action regarding a Conditional Use Permit application for an Accessory Building over 2,000 square feet; 3820 South 1000 East, Summit County, Utah; Parcel CD-2196-A (4.50 acres); Michael Gibbs, Applicant, Administrative Review. - Madlyn McDonough, County Planner. See below for staff report

3. Public hearing to discuss and possibly act on a Conditional Use Permit for a new buried Water Storage Tank; 9950 Timp View Lane (approx.); Parcel CD-683-A; Weber Mountainview Ranch, Applicant, Administrative Review. - Laura Kuhrmeyer, County Planner. See below for staff report

Commission Items
Director Items
Adjourn

To view staff reports available after Friday, March 10, 2023 please visit: www.summitcounty.org

Individuals needing special accommodations pursuant to the Americans with Disabilities Act regarding this meeting may contact Vicki Geary, Summit County Community Development Department, at (435) 336-3123.

Posted: March 10, 2023
Published: March 11, 2023 – The Park Record
STAFF REPORT

To: Eastern Summit County Planning Commission
From: Madlyn McDonough, County Planner
Date of Meeting: March 16, 2023
Type of Item: Accessory Building over 2,000 square feet
Conditional Use Permit – Public Hearing and Possible Action
Process: Administrative Review

RECOMMENDATION: Staff recommends that the Eastern Summit County Planning Commission review the proposed Conditional Use Permit, conduct a public hearing, and approve the proposed Accessory Building according to the findings of fact, conclusions of law, and conditions of approval outlined in this staff report.

Project Description
Project Name: Grubbs Accessory Building
Applicant(s): Michael Grubbs
Property Owner(s): Grubbs Family Trust, C/O Michael D Grubbs Trustee
Location: 3820 South 1000 East
Zone District: AG-10
Parcel Number and Size: CD-2196-A; 4.50 acres
Final Land Use Authority: Planning Commission

Proposal
The applicant, Michael Grubbs, is requesting conditional use approval for an Accessory Building containing 2,477 square feet. The Accessory Building would be located on Parcel CD-2196-A, which is accessed from South 1000 East. The Accessory Building would be used for personal storage and hobbies.
Vicinity Maps
Background

On May 19, 2006, CD-2196-A was determined to be a Lot of Record (also known as a ‘grandfathered parcel’). According to the Eastern Summit County Development Code, Lot of Record describes a parcel created prior to May 6, 1996. Such a parcel is entitled to one dwelling unit of density.

The applicant is proposing to construct an approximately 720 square foot single family residence which would be the primary use of the property. The primary dwelling is not considered as part of this Conditional Use Permit.

Section 11-3-16 of the Eastern Summit County Development Code contains the Chart of Allowed and Permitted uses. In the AG-10 zone, Accessory Buildings and Uses to the principal use exceeding 2,000 square feet require a Conditional Use Permit subject to review and approval by the Planning Commission. The applicant applied for a Conditional Use Permit on January 23, 2023. The code defines the proposed use as follows:

ACCESSORY BUILDING: A building upon the same lot (or in a contiguous lot under the same ownership) as the principal building and is: a) clearly incidental to, and customarily found in connection with, such principal building or use; and b) is operated and maintained for the benefit or convenience of the owners, occupants, employees, customers or visitors of the lot with the principal use.

The application was routed to all service providers for review and comment. Based on changes made to address service provider comments, the application meets the minimum requirements for approval, as conditioned.

Analysis and Findings

The Planning Commission may approve, approve with conditions, or deny a Conditional Use Permit based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance.

Standard 1: The proposed use shall be appropriate in the particular location, taking into account the nature of the use, its relationship to surrounding uses and its impact on the natural environment. COMPLIES

Analysis: The proposed Accessory Building is compatible with neighboring properties and the primary use of the lot, residential, will remain the same. The homeowner has submitted documentation to demonstrate compliance with wetland and river setbacks.

Standard 2: The proposed use shall be in general compliance with the Development Evaluations Standards in Chapter 2 of this Title. COMPLIES
**Analysis:** Staff has reviewed the proposal for compliance with the standards established in chapter 2 of the Eastern Summit County Development Code, and found the following:

<table>
<thead>
<tr>
<th>Code Requirement</th>
<th>Analysis</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Agriculture</td>
<td>The use will neither hinder nor eliminate any existing agricultural operations in the area. It will not hinder any existing irrigation systems in the area.</td>
<td>COMPLIES</td>
</tr>
<tr>
<td>2. Water and Sewage</td>
<td>The applicant has provided stormwater management calculations and has a plan to address the calculated potential runoff.</td>
<td>COMPLIES</td>
</tr>
<tr>
<td>3. Natural Resources</td>
<td>Streams, wetlands, or other sensitive areas are being respected by the proposed development.</td>
<td>COMPLIES</td>
</tr>
<tr>
<td>4. County Infrastructure,</td>
<td>The impact of the Accessory Building on county infrastructure, as it relates to public services, facilities, and programs, will be minimal.</td>
<td>COMPLIES</td>
</tr>
<tr>
<td>Facilities and Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Infrastructure Design and</td>
<td>The impact of the Accessory Building, as it relates to traffic volume and other public services, will be minimal.</td>
<td>COMPLIES</td>
</tr>
<tr>
<td>Maintenance</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Standard 3:** The applicant shall present evidence to show approval of the landowner for the particular use, unless the land is owned by the applicant and, in such case, the applicant shall submit proof of ownership. **COMPLIES**

**Analysis:** The applicant has submitted proof of ownership.

**Standard 4:** There are reasonable conditions that can be imposed which mitigate the reasonably anticipated detrimental effects of the proposed use. **COMPLIES, as conditioned**

**Analysis:** In addition to reviewing the proposal for compliance with Chapter 2 of the Development Code, staff routed the application to affected county departments and service providers. Service provider feedback has been addressed by the applicant.

At the time of this report (3/10/2023), no public comment has been received about this project.

**Recommendation**
Staff recommends that the Eastern Summit County Planning Commission review the proposed Conditional Use Permit, conduct a public hearing, and approve the application for the proposed Accessory Building according to the findings of fact, conclusions of law, and conditions of approval outlined in this staff report.
Findings of Fact:
1. The proposed project is located at 3820 South 1000 East (CD-2196-A).
2. On May 19, 2006, CD-2196-A was determined to be a Lot of Record.
3. The property is within the AG-10 zone district.
4. Grubbs Family Trust is the property owner of CD-2196-A.
5. The lot contains 4.50 acres.
6. Accessory Buildings and Uses to the principal use exceeding 2,000 square feet require a Conditional Use Permit in the AG-10 zone.
7. There is a 40-foot required setback from the edge of delineated wetlands.
8. There is a 100-foot required setback from the centerline of a river or stream.
9. The proposed development meets both setback requirements.
10. No construction will take place on slopes in excess of 30%.
11. The application was routed to affected county departments and service providers. All comments have been addressed.
12. Property owners within 1,000 feet of CD-2196-A received a postcard notifying them about the project and the public hearing with the planning commission.
13. Public noticing was published in the Summit News.

Conclusions of Law:
1. As conditioned, the proposed use is appropriate in the particular location, taking into account the nature of the use, its relationship to surrounding land uses and its impact on the natural environment.
2. The proposed use is in general compliance with the Development Evaluations Standards in Chapter 2 of the Code.
3. As conditioned, the proposed use is not in violation of any county, state, or federal laws.
4. The use will not adversely affect, in a significant manner, the public health, safety, and welfare.

Conditions of Approval:
1. There may be no modification to this Conditional Use Permit without prior approval from the Community Development Department.
2. Prior to the issuance of a Conditional Use Permit letter, all service provider conditions must be met.
3. Any future exterior lighting shall comply with the Eastern Summit County Development Code lighting standards found in Section 11-6-20.

Attachments
Appendix A – Proposed Site Plan
11.00'
50'
22.54'
±412.50'
±314.75'
40'
16.00'
20.00'
10.00'
10.00'
1.
1.1

SITE PLAN
GRUBBS C.U.P.
REVIEW SET
2/13/23

CAD TECH:
DESIGNER:
Q&A:
XXX
XXX

CALL BLUE STAKES PRIOR TO DIGGING
RIMROCK ENGINEERING & DEVELOPMENT

PLAN REVISIONS
A.

40' WETLAND SETBACK (TYP)
12' SIDE SETBACK (TYP)
25' FRONT SETBACK (TYP)
RESERVED FOR SEPTIC (SEE SEPTIC PLAN)
CULINARY WATER WELL (TYP)

EAVE AT WETLAND SETBACK (TYP)
EAVE AT WETLAND SETBACK (TYP)
EAVE AT WETLAND SETBACK (TYP)

PEDESTRIAN BRIDGE

UNNAMED IRRIGATION DITCH (SEE WETLAND DELINEATION)
EXISTING WETLAND (TYP)

SWALE

EXISTING ROADWAY
RELOCATE EXISTING ENTRANCE
RESERVED FOR SEPTIC (SEE SEPTIC PLAN)

1000 EAST

PROPERTY LINE

CUT FILL TABLE

CUT (CUBIC YARDS)  FILL (CUBIC YARDS)  NET (CUBIC YARDS)
185.00 CY  35.00 CY  150.00 CY (CUT)

MAINTAIN 2' BUFFER BETWEEN GRADING AND PROPERTY LINE

100-YEAR FLOODPLAIN BOUNDARY (SFHA) ZONE X

JURISDICTIONAL WETLAND BOUNDARY (SEE WETLAND DELINEATION)

HOME 6564.50  FFE
BARN 6564.50  FFE
RIDGE 6595.67

EXISTING ROADWAY
RELOCATE EXISTING ENTRANCE
RESERVED FOR SEPTIC (SEE SEPTIC PLAN)

1000 EAST

PROPERTY LINE

CUT FILL TABLE

CUT (CUBIC YARDS)  FILL (CUBIC YARDS)  NET (CUBIC YARDS)
185.00 CY  35.00 CY  150.00 CY (CUT)
<table>
<thead>
<tr>
<th>INSPECTION</th>
<th>DESCRIPTION/REQUIREMENTS</th>
<th>CONTACT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SUMMIT COUNTY REQUIRED INSPECTIONS**

**CONTACT**

- CAD TECH:
- DESIGNER:
- Q&A:

1. **GRUBBS CUP REVIEW SET**
2. **RIMROCK ENGINEERING & DEVELOPMENT**
3. **PLAN REVISIONS**

**CONSTRUCTION MITIGATION PLAN NOTES**

1. **CALL BLUE STAKES PRIOR TO DIGGING**
2. **DETAILS**
3. **GRUBBS CUP**
4. **REVISIONS**
5. **details**
6. **1/12/31**

**EXTENDING TO SILT FENCES**
STAFF REPORT

To: Eastern Summit County Planning Commission
From: Laura Kuhrmeyer, County Planner
Date of Meeting: March 16, 2023
Type of Item: Conditional Use Permit- Public Hearing, Possible Action
Process: Administrative Review

RECOMMENDATION: Staff recommends that the Planning Commission review the proposed water storage tank (Utility Structures and Related Facilities), open a public hearing, and approve the Conditional Use Permit according to the findings of fact, conclusions of law and conditions of approval in this staff report.

Project Description
Project Number: 22-276
Project Name: Weber Mountainview Ranch Water Storage Tank
Applicant(s): BT Engineering (Jason Bradford)
Property Owner(s): Weber Mountainview Ranch
Location: 9950 Timp View Lane (approx.)
Zone District: AG-80
Parcel Number and Size: CD-683-A, 67.24 acres
Final Land Use Authority: Planning Commission

Proposal
The applicant, BT Engineering, is requesting a Conditional Use Permit for a new Water Storage Tank (Utility Structures and Related Facilities). The goal is to increase system pressures and allow for fire flows in the subdivision. The proposal includes a 150,000-gallon concrete buried storage tank and water line improvements that will replace two smaller existing water tanks.
Background
Section 11-3-16 of the Development Code states that Utility Structures and Related Facilities in the AG-80 zone are a conditional use subject to review and approval by the Planning Commission.

Parcel CD-683-A is a 64.27-acre grandfathered parcel, located in the Woodland area.

Review from all service providers stated that the proposal meets the minimum requirements for approval.

Analysis and Findings
The Planning Commission may approve, approve with conditions, or deny a conditional use based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance:

Conditional Use Permits (11-4-7) Analysis:
CUP Analysis – Standard 1: The proposed use shall be appropriate in the particular location, taking into account the nature of the use, its relationship to surrounding uses and its impact on the natural environment. COMPLIES

Analysis: The proposed water storage tank is located below grade. The location of the water tank and the size of the lot mitigate the negative impacts of the
water tank on surrounding uses and the natural environment. Further, the project is funded by the Federal EPA and therefore an Environmental Assessment was done and no long-term effects with a Categorical Exclusion were found.

**CUP Analysis – Standard 2:** The proposed use shall be in general compliance with the Development Evaluations Standards in Chapter 2 of this Title. **COMPLIES**

**Analysis:** Staff has reviewed the request for compliance with the standards established in chapter 2 of the Eastern Summit County Development Code, and found the following:

<table>
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<th>Analysis</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Agriculture</td>
<td>The use will neither hinder nor eliminate any existing agricultural operations in the area. It will not hinder the existing irrigation systems in the area.</td>
<td>COMPLIES</td>
</tr>
<tr>
<td>2. Water and Sewage</td>
<td>The use was reviewed by the County Health Department for compliance with septic and water issues.</td>
<td>COMPLIES</td>
</tr>
<tr>
<td>3. Natural Resources</td>
<td>There are not any streams, wetlands, or other sensitive areas that will be affected by the construction of the water storage tank.</td>
<td>COMPLIES</td>
</tr>
<tr>
<td>4. County Infrastructure, Facilities and Services</td>
<td>The impact of the water storage tank on County infrastructure as it relates to public services, facilities, and programs will be minimal.</td>
<td>COMPLIES</td>
</tr>
<tr>
<td>5. Infrastructure Design and Maintenance</td>
<td>The impact of the water storage tank on County infrastructure as it relates to traffic volume, and other public services will be minimal. It is not anticipated that any maintenance or improvements will be necessary on the surrounding roads.</td>
<td>COMPLIES</td>
</tr>
</tbody>
</table>

**CUP Analysis – Standard 3:** The applicant shall present evidence to show approval of the landowner for the particular use, unless the land is owned by the applicant and, in such case, the applicant shall submit proof of ownership. **COMPLIES**
Analysis: The Applicant has submitted evidence to show approval of the landowner for the particular use.

CUP Analysis – Standard 4: There are reasonable conditions that can be imposed which mitigate the reasonably anticipated detrimental effects of the proposed use. COMPLIES

Analysis: In addition to reviewing the proposal for compliance with Chapter 2 of the Development Code, staff has routed the application to affected county departments, state agencies and affected service providers. No additional issues were raised.

Equipment Enclosures, Utility Structures and Related Facilities (11-6-6) Analysis:

Utility Analysis – Standard 1: Site Location and Proximity – The equipment enclosures and facilities/structures shall be located in a manner that reduces, to the maximum extent possible, the visibility from any major highway, roadway and/or adjacent development. Such facilities and related uses shall also be required to be consistent with the aesthetics of the neighborhood, and particular care shall be taken to reduce all potential impacts on adjacent residential uses. COMPLIES

Analysis: The proposed water storage tank is located below grade and minimizes visibility from any major highway, road, or adjacent development.

Utility Analysis – Standard 2: Site Layout and Design – Such development shall be integrated into the site in a manner that is sensitive to the existing topography, vegetation and any nearby structures, and which utilizes the existing site features, to the maximum extent possible, to screen the facilities from nearby landowners and sensitive view corridors. COMPLIES

Analysis: The proposed water storage tank is located below grade and is sensitive to existing topography.
Utility Analysis – Standard 3: Architectural Screening – When appropriate and/or necessary to meet the requirements of subsection A of this section, architectural screening shall be utilized to disguise the facilities/structures as typical farm type outbuildings which are consistent with the rural, agricultural character of the area. Long, unbroken facades and rooflines shall be avoided as well as the use of industrial type material and finishes. COMPLIES

Analysis: As stated above, the proposed water tank is located below ground and Staff does not recommend any additional screening beyond proposed grading and landscape restoration.

Utility Analysis – Standard 4: Landscape Buffering – When appropriate and/or necessary to meet the requirements of subsection A of this section, landscaping and/or berming techniques shall be utilized to mitigate the visual and other related impacts of utility facilities/structures. Such landscaping and berming shall emulate the natural, rural landscape. All disturbed areas shall be revegetated with appropriate plant materials. Temporary irrigation shall be required for initial establishment and long term support of new landscaping and revegetation of disturbed areas. COMPLIES

Analysis: The Applicant has proposed to bring up the finished grade to cover the water tank below grade. A condition has been added that disturbed areas shall be revegetated.

Utility Analysis – Standard 5: Lighting – Lighting shall be the minimum required for maintenance and security purposes. Fixtures shall be fully shielded with light directed down and shall be controlled by motion detectors such that the lights are off unless needed for maintenance access or tripped on by motion detectors. Flood type area lighting is prohibited. Wall mounted fixtures shall be installed no higher than eight feet (8’) above the finished grade immediately below the fixture. COMPLIES

Analysis: No lighting is proposed at this time.

Utility Analysis – Standard 6: Noise – The development shall not generate noise which would result in materially adverse impacts to the adjacent land or its occupants. A noise study may be required to make this determination. COMPLIES

Analysis: The proposed water thank will not have any negative noise impacts on surrounding neighbors.

Utility Analysis – Standard 7: Security Fencing – Security fencing shall be as unobtrusive as possible and shall blend in with the surrounding environment. COMPLIES

Analysis: No security fencing is proposed at this time.
Utility Analysis – Standard 8: Fuel Storage/Handling – On site fuel storage (for backup generator, etc.) shall be designed for full, backup containment in the event of primary tank failure and/or spillage during refueling. Any and all fuel spills or spills of any hazardous materials shall be immediately cleaned up, removed from the site and disposed of in accordance with all federal, state and local regulations. COMPLIES

Analysis: No fuel storage is proposed at this time.

Utility Analysis – Standard 9: Outdoor Storage – Outdoor storage of materials and equipment shall be prohibited. COMPLIES

Analysis: No outdoor storage is proposed at this time.

Utility Analysis – Standard 10: Maintenance – At all times, all site improvements, including any required landscaping, fencing, buildings, finishes, etc., shall be maintained to an acceptable standard such that the facilities and related site improvements shall not adversely affect, in a significant manner, the public health, safety and welfare. COMPLIES

Analysis: Condition of Approval #3 has been added to ensure compliance with this standard.

Recommendation
Staff recommends that the Planning Commission review and approve the proposed water storage tank according to the findings of fact, conclusions of law and conditions of approval in this staff report.

Findings of Fact:
1. The proposed project is located at 9950 Timp View Lane (approx.).
2. The property is located in the AG-80 zone district.
3. Weber Mountainview Ranch is the property owner of parcel number CD-683-A.
5. Utility Structures and Related Facilities are a Conditional Use within the AG-80 Zoning District.
6. The proposed water storage tank contains approximately 150,000 gallons of water and will be replacing two existing smaller tanks.
7. There are no wetlands or natural streams on the property.
8. The application was routed to affected county departments, state agencies and service providers. No issues were raised.
9. The proposed structure complies with building height maximums as it is below grade.
Conclusions of Law:

1. The proposed use is appropriate in the particular location, taking into account the nature of the use, its relationship to surrounding land uses and its impact on the natural environment.
2. The proposed use is in general compliance with the Development Evaluations Standards in Chapter 2 of the Code.
3. The proposed use is in general compliance with the Development Code Standards outlined in 11-4-7 and 11-6-6 as stated in the report above.
4. The proposed use is not in violation of any county, state, or federal laws.
5. The use will not adversely affect, in a significant manner, the public health, safety, and welfare.

Conditions of Approval:

1. The disturbed areas of the Lot shall be regraded to a natural state to the greatest extent possible except where approved to cover the proposed tank.
2. The Applicant shall revegetate all disturbed areas with native, drought tolerant plants.
3. At all times, all site improvements, including any required landscaping, fencing, buildings, finishes, etc., shall be maintained to an acceptable standard such that the facilities and related site improvements shall not adversely affect, in a significant manner, the public health, safety and welfare.
4. All necessary permits must be obtained, and fees shall be paid prior to the commencement of any construction activity, including but not limited to the Summit County Engineering and the Summit County Building Departments.

Attachments

Exhibit A – Project Description
Exhibit B – Proposed Plans
PROPOSED WATER IMPROVEMENTS

- NEW 8"/10" HDPE WATER LINES
- NEW 150,000 GALLON CONCRETE STORAGE TANK
- EXISTING RIVER CROSSING
- EXISTING CANYON ROAD
- EXISTING WELL PUMP TO BE REMOVED AND REPLACED WITH NEWER MODEL PUMP
- EXISTING Tank TO BE ABANDONED