

Planning & Zoning Commission Meeting
County Administrative Offices, Duchesne, Utah
August 7, 2019 - 5:00 p.m.

In Attendance were:

Brad Wells, Planning Commission, Chairman
Kathy Giles, Planning Commission
Bobby Drake, Planning Commission
Ken Richens, Planning Commission
Ryan Clark, Planning Commission
Gary Sorensen, Planning Commission
Connie Sweat, Planning Commission
Mike Hyde, Community Development Administrator
CoraLee Sanchez, Planning Secretary

Visitors:

Roger Chapman

August Meadows Subdivision

Chairman Wells opened the meeting at 5:00 pm and read the rules of order. He asked if any of the Planning Commission Members had any ex-parte contacts or conflicts of interest associated with any item on the agenda. There were none, so the meeting proceeded.

PUBLIC HEARINGS:

- A. Recommendation to the County Commissioners regarding a request for amended final plat approval of the August Meadows Subdivision by A&R Development, Inc.

Mr. Hyde referred the Commission to their packets and some photos of the proposed subdivision and stated the applicants are proposing to amend the final plat of a residential subdivision; formerly 16 lots, now 18 lots, ranging from 1.03 to 2.704 acres in size on a portion of a 115.16-acre parcel located on the east side of 3000 West at 2340 North in the Roosevelt area. The Planning Commission approved the preliminary plat on August 4, 2010 subject to the following conditions:

1. Protective covenants and a public offering statement shall be provided and approved by the County prior to final plat approval.
2. The final plat shall include any easements revealed after preparation of a title report.
3. A DEQ storm water permit shall be obtained if construction of this subdivision disturbs one acre or more of land.
4. Prior to final plat approval, all subdivision road improvements, including ditches and culverts, shall be improved to county standards and accepted by the Public Works Director, unless a bond in the amount of 125% of the construction cost estimate is posted.

5. Prior to occupancy of any homes within this subdivision, with the exception of the existing home on Lot 5, road improvements shall be accepted by the Duchesne County Road Department and road signs shall be installed at all intersections.
6. Prior to final plat approval, all subdivision water system improvements, including fire hydrants, shall be constructed in accordance with plans approved by the Utah Division of Drinking Water (UDDW) and the water providers and an operating permit received from the UDDW, unless a bond in the amount of 125% of the construction cost estimate is posted.
7. Prior to occupancy of any homes within this subdivision, with the exception of the existing home on Lot 5, water system improvements shall be accepted by the Utah Division of Drinking Water by issuance of an operating permit.
8. Prior to occupancy of any homes within this subdivision, with the exception of the existing home on Lot 5, the irrigation water delivery system will need to be constructed in accordance with plans developed in coordination with Dry Gulch Irrigation and an entity formed to operate and maintain this system. As part of this, an existing pressurized irrigation line running diagonally through the property must be relocated.

Mr. Hyde stated the Planning Commission recommended approval of the final plat of August Meadows on August 1, 2012 and the County Commissioners accepted the recommendation on August 6, 2012, subject to the following documents being submitted to the County before recording the plat:

- a. Title Report. (Any easements listed on the title report and not showing on the final plat must be added).
- b. Public Offering Statement.
- c. Protective Covenants.
- d. Operating Permit for the water system from the Utah Division of Drinking Water.
- e. Letter from the Road Department accepting the roads for county maintenance.
- f. Documents associated with the relocation of the irrigation line and the entity that will operate the irrigation system.

Mr. Hyde stated the required title report was prepared on June 5, 2018. The Public Offering Statement and Declaration of Covenants, Conditions and Restrictions (CC&Rs) have been submitted to the County. An operating permit was issued for the water system by the Utah Division of Drinking Water on April 29, 2014. The County Road Department issued a letter dated March 12, 2018 verifying that the roads within this subdivision have been constructed to county standards and will be accepted for county maintenance. A 30-foot wide utility easement has been provided along the north and west sides of the subdivision for irrigation pipelines. The CC&Rs specify how the irrigation system will be managed.

In addition, since the 2012 approvals, the number of lots has been increased from 16 to 18

and the size of many of the lots has been reduced. This change required re-submission to the TriCounty Health Department, which approved the amended plat by letter dated June 4, 2019.

The final plat shall consist of a sheet of tracing Mylar at least three (3) mil in thickness, approved by the county, to the outside trim dimensions of twenty four inches by thirty six inches (24" x 36"), and the borderline of the plat shall be drawn in heavy lines, leaving a space of at least one-half inch (1/2") on the bottom, top and right side, with at least one and one-half inches (1 1/2") on the left side. The plat shall be so drawn that the top of the sheet faces either north or west, whichever accommodates the drawing best. All lines, dimensions and markings shall be made on the Mylar with approved waterproof black ink. The plat shall be made to a scale suitable to show sufficient detail, and the workmanship on the finished drawing shall be neat, clean and readable. The plat shall be signed by all parties duly authorized and required to sign, and shall contain the following information:

- A. The standard form approved by the planning commission for all subdivision plats lettered for the following:
 1. **Legal description of the land for the subdivision.** The legal description has been reviewed and approved.
 2. **Registered professional land surveyor's "certificate of survey".** The map contains the required surveyor's certificate.
 3. **Owner's dedication certificate, including any records or other known interests.** The map contains the required owner's dedication certificate.
 4. **County planning commission's certificate of approval.** The map contains a signature box for the County Planning Commission chair to sign.
 5. **Permanent address for each lot.** All lot addresses are shown.
 6. **County commissioner's certificate of approval, attested by the county clerk/auditor.** The map contains a signature box for the County Commission chair to sign and Clerk-Auditor to attest.
 7. **County recorder's certification of recording.** The map contains a signature box for the County Recorder to sign.
 8. **Established sixty six foot (66') right of way to existing county B road or state route or U.S. highway.** The subdivision streets have a 66 foot right of way and connect to a County Class B Road known as 3000 West.
 9. **An affidavit from the county treasurer showing that all taxes are current.** The map contains a signature box for the County Treasurer to sign.
 10. **An acknowledgment from the developer or their agent that the state department of business regulation stating guidelines for the land sales practices act have been met for subdivisions having ten (10) lots or more. A letter from the road supervisor approving the roads within the subdivision.** The required letter was prepared by the Road Department on March 12, 2018.
 11. **The public offering statement as outlined in section 9-3-2 of this title.** The required public offering statement has been submitted to the County.
 12. **Title report.** The required title report was prepared June 5, 2018.

13. Any other items on the checklist as approved by the planning commission.

Mr. Hyde recommended that the Planning Commission recommend to the County Commission the adoption of the Findings of Fact and Conclusions set forth in this report and approval of the amended final plat of the August Meadows Subdivision, Phase 1.

Mr. Hyde asked if there were any questions of the staff report. There were none.

Chairman Wells invited the applicant to speak.

Roger Chapman, property owner and developer of August Meadows Subdivision, thanked Mr. Hyde for his efforts and patience in finishing the approval for this subdivision. There have been a few issues and the sales market is finally at a point that it was feasible to finish this process. Mr. Chapman asked the commission if they had any questions.

Commissioner Drake asked Mr. Chapman if the utilities were included in the sale of the lots. Mr. Chapman replied they were, except for the septic system.

With no other comments or anyone in the audience to speak Chairman Wells was ready to entertain a motion.

Commissioner Drake motioned to recommend to the County Commission the adoption of the Findings of Fact and Conclusions set forth in this report and approval of the amended final plat of the August Meadows Subdivision, Phase 1. Commissioner Sorensen seconded the motion and it passed unanimously.

Mr. Hyde stated the County Commission hearing will be Monday August 12th in the Commission Chambers at 1:30 p.m.

NEW BUSINESS:

None

Minutes: Approval of the July 10, 2019 minutes:

Commissioner Giles moved to approve the combined Planning Commission and Public Lands Committee minutes of July 10, 2019. Commissioner Drake seconded the motion and it passed unanimously.

Commission Comments and Staff Information Items:

Mr. Hyde stated there are no applications for the September meeting but Wednesday August 14 is the deadline. There was some discussion with the commissioners and Mr. Hyde about the potential projects and concerns that were discussed at the Trails Master Plan meeting held on July 10th.

Adjournment:

Meeting adjourned at 5:30p.m.