

**Planning & Zoning Commission Meeting
County Administrative Offices, Duchesne, Utah
November 1, 2006 - 5:00 p.m.**

In Attendance were:

Leon Sweat, Planning Commission Chairman
Dean Brough, Planning Commission
Shelly Fabrizio, Planning Commission
Randy Mair, Planning Commission
Chris Peatross, Planning Commission
Thomas Rather, Planning Commission
Mike Hyde, Community Development Administrator
Excused: Laraine Dickinson, Larain Mobley

Visitors:

Agenda Item

Vince Isbell
Connie Sweat

Duchesne Mini Ranches #5

Chairman Sweat called the meeting to order at 5:00 P.M.

PUBLIC HEARINGS:

- A. Mountain West Ranches, requesting to amend Lot 9, Great Basin Estates #1 to create two lots, each 5.014 acres in size. Located in the SW ¼ of Section 13, Township 3 South, Range 6 West, located north of Starvation Reservoir, west of Duchesne.**

Mr. Hyde stated the Great Basin Estates #1 Subdivision was approved by the county in 1979, the original plat had 14 lots that were approximately ten acres in size and 35 lots approximately 5 acres in size. The subdivision is located on the northwest side of Starvation Reservoir. Mountains West Ranches wants to divide one of the ten-acre lots in half and it is located in a 5-acre zone. To divide this health department approval is needed along with proof of a water source because back when this subdivision was developed the concern with water was not a factor, but it is now with any lot less than 40 acres. Also whether or not there is legal access to the parcels and a survey has been prepared.

Mr. Hyde stated that an approval letter dated September 25, 2006 was received from Tri-County Health Department.

Mr. Hyde stated in regards to water source the property owners would be using wells

and the applicants have submitted letters from the State Engineer verifying that private wells have been approved for each lot.

Mr. Hyde stated that since 1979 the county has become more concerned with fire protection. In this area there are no water lines and so what the fire department has been requiring for new lots created in these areas is to require a sprinkler system and on-site water storage as part of the building permit application.

No one was present at the hearing to represent the applicants.

Commissioner Peatross asked so in order to obtain a building permit and your water source is a well, a sprinkler system needs to be installed in the new home. Mr. Hyde stated "no" it's just in areas that are being newly subdivided that they need to provide some kind of fire protection. The County recently adopted the Wildland Urban Interface Code that the State adopted. The county had to do this in order to keep getting state assistance in fighting wildfires. So the county will be looking at wildfire protection more with new land divisions. Mr. Hyde stated that if there is a water system or arrangements have been made with Georg Adams then sprinklers would not be a requirement, but if there were no water system then would possibly be a requirement. Commissioner Rather asked what other possibilities would there be. Mr. Hyde stated that a fire retardant roof, creating a defensible space around the home, making sure that the driveway access will support fire trucks in that they will be able to turn around but it would be up to Mr. Adams as the Fire Official for the flexibility in this matter.

Chairman Sweat asked in regards to the access from Highway 40 from the Koch Field Road (County Road #246) and private roads extending about a mile north do they have or are there right of ways in place with these private roads that people will be using to enter and exit this subdivision. Mr. Hyde stated that back in 1979 when this subdivision was approved it was the same situation that it is now and these roads have been used now for about 26 years. Even though they are not dedicated county roads that the county maintains they are roads that the public has used.

Commissioner Peatross had some concern with the sprinkler system and if it is going to become a county requirement for a building permit then I don't feel that the Planning Commission needs to add it on as a condition. Commissioner Peatross stated that at this time he felt it would be sufficient to require the fire retardant roof and that the vegetation is cleared from around the home and that there is access would be much more reasonable. Vince Isbell stated that he worked construction in Wyoming and sprinkler systems were installed in some of the homes and it is quite expensive, ten years ago it was approximately \$18,000.00 and so today I would guess that it would cost anywhere from \$20,000.00 to \$25,000.00. So it would be more feasible to do a firebreak around the home.

Commissioner Peatross moved that the Planning Commission recommend to the County Commission the approval of the amended plat, subject to the following conditions:

1. Dwelling units constructed on these lots shall be provided with fire protection measures approved by the County Fire Official prior to occupancy.
2. The applicants shall insure that their surveyor submits an electronic copy of the plat amendment to the County Recorder's office.

Commissioner Rather seconded that motion and it passed unanimously.

B. Duchesne Land LC, requesting plat approval for Duchesne Mini Ranches, Phase 5, consisting of 15 lots located in Sections 16 and 17, Township 4 South, Range 4 West, southeast of Duchesne City.

1. Preliminary Plat

Mr. Hyde stated Duchesne Mini Ranches #5 consists of 15 lots located south of Utah Mini Ranches #8 and east of Duchesne Mini Ranches #1. The lots sizes range from 2.5 to 4.32 acres and this is the fifth of twelve phases of Duchesne Mini Ranches.

Mr. Hyde stated that a letter dated October 18, 2006 was received from Tri-County Health Department with approval of the wastewater disposal. There may be a problem on Lot 9 with the wastewater system so the developers have provided an easement on Lot 10 if it is necessary for the drain field.

Mr. Hyde stated that South Duchesne Culinary Water will be provided but at this time it is not completed. So it will either need to be completed or a bond will need to be posted. As in previous phases mentioned there are 298 connections and 89 connections are now being used.

Mr. Hyde stated that the roads are almost completed but there is money in a Zions Bank account to cover any road improvement costs. There will also be the contribution into the Highway 40 acceleration and deceleration lanes in the amount of \$220.00 per lot as in previous phases. These are private roads that will be maintained by the property owners and there will need to be street signs installed before occupancy of homes in the area. There is a temporary cul de sac that will eventually be an access to the property to the south for further development and at that time the cul de sac would be permanently vacated.

Mr. Hyde stated in regards to fire protection it is being provided by flush hydrants at the end of all of the cul de sacs and the Fire Official is working with the water district to get the connections for the fire trucks to refill.

Commissioner Brough motioned that the Planning Commission adopt the Findings of Fact and Conclusions set forth in this Staff Report and approve the preliminary plat of the Duchesne Mini Ranches, Phase 5, subject to the following conditions:

1. Developers agree that \$220.00 per lot shall be collected by the county at the time of building permit issuance to cover a share of the future costs of

acceleration and deceleration lanes on Highway 40 to serve the development.

2. Prior to final plat approval, all water lines within this phase shall be installed and approved for use by the Utah Division of Drinking Water or a bond shall be posted to ensure the completion of the water lines. The bond shall be in an amount not less than \$9,375.00.
3. Prior to final plat approval, the developer shall receive approval of the roads from the County Public Works Department or provide financial surety in the amount of 125% of the estimated construction cost to finish said roads (\$3,094.00).
4. Developer understands that the current water supply system is rated for 298 connections by the State of Utah Division of Drinking Water. Since more than 298 lots have been platted in the overall mini ranch development, there is no guarantee that each of the 15 lots in this phase will have water available until water lines are upgraded in Duchesne City pursuant to the February 17, 2004 Sunrise Engineering report. Duchesne County will withhold building permits, if necessary, if the 298 connections are made prior to the required water system upgrades being completed.
5. Developer shall complete the installation of street signs, roads, the water system and flushing hydrants in this phase prior to occupancy of any dwellings in the phase.

Commissioner Mair seconded the motion and it passed unanimously.

2. Final Plat

Mr. Hyde stated that since the preliminary plat has been approved with the five conditions listed above the final plat approval needs to be presented to the County Commission for their approval. With the final plat there needs to be adequate bonding in place if the improvements are not actually built and in this case they are not completed at this time. A recent Title Report has been submitted and there are no problems there.

Chairman Sweat asked that in the approval for the final plat in the recommendation it states that the developer agrees that the roads, water system, flushing hydrants and street signs shall be installed and approved prior to occupancy of any dwelling in Phase 5, but in the letter received for the preliminary plat it states that South Duchesne Water System will be installing 2 flushing hydrants throughout. So my question is South Duchesne Culinary Water District in control of this system and can they get these hydrants in. Connie Sweat answered yes and Duchesne Land, Highland Development and South Duchesne Water District are all owned by Mr. and Mrs. Steed. Ms. Sweat indicated that she is the managing operator for South Duchesne Culinary Water District. Commissioner Fabrizio motioned that the Planning Commission recommend to the County Commission the adoption of Findings of Fact and Conclusions set forth in this report and approval of the final plat of the Duchesne Mini Ranches, Phase 5, subject to the conditions:

1. When the final plat is submitted for recording, the subdivider shall provide the county with a disk containing the final plat drawing in an AutoCAD compatible

format, such as dxf, dwg or shp.

2. Developer agrees that the roads, water system, flushing hydrants and street signs shall be installed prior to occupancy of any dwelling in Phase 5.

Commissioner Mair seconded the motion and it passed unanimously.

Minutes: Approval of the October 4, 2006 minutes

Commissioner Rather motioned to approve the minutes as written.
Commissioner Mair seconded the motion and it passed unanimously.

Commission Comments and Staff Information Items:

Mr. Hyde stated that tonight at 7:00 P.M. there would be a Wildfire Community Plan Meeting for anyone that is interested.

Mr. Hyde stated at the December planning meeting an election for Chair and Vice-Chair will need to be conducted.

Adjournment:

Chairman Sweat adjourned the meeting at 5:45 P.M.