

**Planning & Zoning Commission Meeting
County Administrative Offices, Duchesne, Utah
October 4, 2006 - 5:00 p.m.**

In Attendance were:

Leon Sweat, Planning Commission Chairman
Dean Brough, Planning Commission
Larain Mobley, Planning Commission
Shelly Fabrizio, Planning Commission
Dean Brough, Planning Commission
Chris Peatross, Planning commission
Thomas Rather, Planning Commission
Mike Hyde, Community Development Administrator
Laraine Dickinson, Planning Secretary

Visitors:

Brad & Karly Knight
Connie Sweat
Joe Steed
Vince Isbell

Agenda Item

Brad Knight Subdivision
Duchesne Mini Ranches Phase 4

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

PUBLIC HEARINGS:

- A. Brad and Karly Knight, requesting preliminary plat approval for the Brad Knight Subdivision, consisting of 5 lots on 20 acres of land located in the E ½ of the NE ¼ of the SW ¼ of Section 1, Township 3 South, Range 2 West, in the North Myton Bench area.**

Mr. Hyde stated that the applicant is proposing a subdivision of 5 lots, ranging from 1.3 to 5.9 acres in size on 20 acres of land located on the north side of the North Myton Bench Road, about one half mile east of Highway 40. Mr. Hyde stated that access to the proposed subdivision would be the North Myton Bench Road, which is 3750 South and a new road 3550 West would need to be constructed prior to final plat approval. The required width of the right of way would need to be 66 feet. Lots 1,2 and 5 would have access from North Myton Bench Road and lots 3 and 4 would have access from the new road. Mr. Hyde stated that on the preliminary plat it shows a cul de sac without any future extension to the north to serve properties to the north and in the recommendations it states, for future development a 66 foot right of way be provided. There are two reasons in doing this if lots 3 and 4 are ever considered for subdividing

there would be access and if the properties to the north ever develop then there would be an access. Mr. Hyde stated that the applicant requests that the new road 3550 West be allowed to be developed to a gravel county standard since it serves the two larger lots and paving is not required of lots 5 acres and more.

Mr. Hyde stated that there will need to be a street sign at the intersection of 3550 West and 3750 South and the applicant is responsible for those costs and so the applicant will need to get in touch with the County Public Works Department to complete this prior to final plat approval.

Mr. Hyde stated that on the preliminary plat it fails to show any existing or proposed easements, so they would need to be shown on the final plat.

Mr. Hyde stated that a letter dated August 28, 2006 from Tri-County Health Department has been received for the wastewater disposal approval.

Mr. Hyde stated that a letter dated August 4, 2006 from Johnson Water District stated that they would be supplying water to this subdivision. The water line extension will need to be designed by an engineer and include a fire hydrant at a mid point in the cul de sac.

Chairman Sweat stated on the preliminary plat map it shows test holes on lots 1, 2, 3 and 4 and was wondering if the test hole done on lot 4, which is almost on the boundary line of lots 4 and 5 would take care of those two lots. Mr. Hyde stated that there is already a home and garage on lot 5 so it was not necessary to dig a test hole.

Brad Knight asked if the planning commission is recommending or requiring that an easement or right of way to property to the north is going to have to be done. Mr. Hyde stated that it is only a recommendation at this time the planning commission will have to make that decision. Commissioner Rather asked Mr. Knight if it would be feasible to put the right of way along the boundary line rather than between the lots. The Commissioners discussed the most feasible approach for the right of way whether to go along lots 4 and 5 or to continue north past the cul de sac with a 66-foot right of way. Chairman Sweat suggested that Mr. Knight get a letter from Mr. Robertson (property owner to the north) stating that he has no intention of developing that land. Mr. Hyde stated that this had been done in the past. There is a gravel road off of Highway 40 by Ioka Lane that goes to the south where there could be access but indicated that it was currently not a county road. Mr. Knight stated that his property is probably 150 feet from that cliff. Commissioner Brough stated that Mr. Robertson probably would not be developing any of the property on top so there needs to be some consideration whether or not there is any need to have an access through Mr. Knight's property.

Commissioner Mair stated that he does not think that there needs to be an access through Mr. Knight's property because he thought there would be better access elsewhere and the rest of the Planning Commission agreed.

Chairman Sweat asked if there were any questions or comments from either the board members or anyone from the audience.

Commissioner Mair moved that the Planning Commission adopt the Findings of fact and Conclusions set forth in this Staff Report and approve the preliminary plat of the Brad Knight Subdivision, subject to the following conditions:

1. Prior to final plat approval:
 - a. The new road – 3550 West (including road sign and drainage facilities at the intersection with 3750 South) shall be constructed to County gravel road standards (30 feet wide roadway and 100 foot wide cul-de-sac) and be accepted by the county or a bond posted.
 - b. The water system (including a fire hydrant) shall be constructed and approved by the Johnson Water District and State Division of Drinking Water, or a bond posted.
2. The final plat shall contain all proposed easements along lot lines and shall show the width of easements along irrigation pipelines traversing the property.
3. 3550 West may be developed to a gravel county standard at this point. However, further subdivision of lots within this subdivision will require paving of 3550 West to county standards prior to amended plat approval.

Commissioner Brough seconded that motion and it passed unanimously.

B. Duchesne Land LC, requesting plat approval for Duchesne Mini Ranches, Phase 4, consisting of 53 lots located in Section 20, Township 4 South, Range 4 West, southeast of Duchesne City.

1. Preliminary Plat

Mr. Hyde stated this is a residential subdivision consisting of 53 lots, ranging from 2.5 to 2.89 acres located south of the Duchesne Mini Ranches, Phases 1 and 3, southeast of Duchesne. This is the fourth of twelve phases that the developer anticipates in this area.

Mr. Hyde stated that access to the proposed subdivision would be via private roads and County Road #29 to US Highway 40 and with more development it has been a concern with UDOT for acceleration/deceleration lanes at the intersection of County Road #29 and US Highway 40. So as with previous phases, a fee of \$220.00 will be collected for these improvements at the time of building permit issuance. The county road department inspected the roads on September 20, 2006, and indicated that some additional work needed to be done before they would sign off. There is bonding available if this is not completed prior to final plat approval. These will be gravel roads that will need to meet county standards. The developer will be responsible for the cost of providing street signs at all of the street intersections. The developer has submitted a receipt dated May 17, 2006 indicating that signs for Phases 3 and 4 have already been ordered from Interstate Barricades.

Mr. Hyde stated a letter dated September 7, 2006 has been received from Tri-County Health for the approval of wastewater disposal and the plat contains the information required by this section.

Mr. Hyde stated that in regards to the water in this area it would be supplied by South Duchesne Culinary Water District, which obtains its water by contract with Duchesne City. At this time the system can serve up to 298 connections without further improvements and the county understands that roughly 100 connections have been made at this time. For this phase, the water lines will need to be completed prior to final plat approval or a bond posted. The estimated cost for the completion of the water system in Phase 3 is \$24,288.00 so the bond must be in the amount of \$30,360.00. There is going to need to be some improvements made with Duchesne City and South Duchesne Water District to provide connections for the 804 needed connections.

Mr. Hyde stated that in regards to fire protection, by agreement with the county fire official in the approval of Phases 2 and 3 the developers have agreed to install flushing hydrants at the end of all cul de sac water lines, which will be available for fire tanker trucks to utilize.

Commissioner Fabrizio stated that her thoughts were that the county was trying to get away from cul de sacs in subdivisions and there are 3 in this phase, is there anyway that these can be connected to any of the others roads in previous phases. Mr. Isbell stated that with the layout of the surrounding phases, cul de sacs are the only way to access these particular lots. Mr. Hyde stated that in past, developments such as Silver Moon Ranches, which is to the southeast there were no provisions stating the accessibility between the two developments and whether or not they are county maintained or private roads makes a difference.

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 4, 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 \$30,360.00.
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.
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 53 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, the water system and flushing hydrants in this phase prior to occupancy of any dwellings in the phase.

Commissioner Peatross seconded the motion and it passed unanimously.

a. Final Plat

Mr. Hyde stated that on the approval of the preliminary plat conditions:

1. The \$220.00 per lot will be complied with as building permits are issued.
2. The bonding for the water there is an account at Zion's Bank to cover the costs of finishing Phase 4 water systems improvements.
3. The roads needs to be completed prior to the County Commissioner's review of the final plat on October 23, 2006 and if not there are sufficient funds at Zion's Bank to cover the costs of the remaining work that need to be done.
4. The county will be monitoring the number of water connections to ensure the number does not exceed the approved 298 unless the required improvements are made.
5. The installation of street signs water lines and flushing hydrants will need to be in compliance prior to issuance of certificates of occupancy.

Mr. Hyde stated that the public offering statement has been received. The title report dated July 13, 2006 has been updated as of September 21, 2006.

Commissioner Rather asked that this time how many water connections are there. Ms. Sweat stated that at this time she sends out 98 water bills.

Commissioner Mobley asked how many of the lots in the previous phases have been sold and Mr. Isbell stated that most of them had been sold.

Chairman Sweat asked if anyone had comments or questions.

Mr. Steed stated that there seems to be some questions about the water. He stated that they have already done all of the improvements that need to be done in the subdivision that will give us all of the water that we will ever need. It is Duchesne City that needs to update their lines through the industrial park. At this time, there is a 6-inch line and they are going to be improving it to a 10-inch line. Mr. Steed stated that they have the capacity to serve about 875 connections and we are planning to build another 300,000-gallon tank and Duchesne City has committed on their main tank that 300,000-gallons of that has been reserved for us also.

Commissioner Peatross motioned 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 final plat of the Duchesne Mini Ranches, Phase 4, subject to the following 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 water system, flushing hydrants and street signs shall be installed prior to occupancy of any dwelling in Phase 4.

Commissioner Mair seconded the motion and it passed unanimously.

Minutes: Approval of the September 6, 2006 minutes

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

Adjournment:

Commissioner Brough motioned to adjourn the meeting at 5:50 P.M.
Commissioner Mair seconded that motion and it passed unanimously.