



the provision of three additional business sites to support the local economy and energy industry. This benefit could be offset by increased congestion at the Highway 87-4250 West intersection. UDOT Region 3 has met with the applicant and determined that they would approve the access to the subject property if the applicant paves the 4250 West road approach between the existing edge of Highway 87 pavement and the right of way line. UDOT is not requiring turn lanes at this location. This improvement will need to be completed prior to occupancy of any buildings in this rezone area.

**2. Consistency with the goals and policies of the general plan.**

Mr. Hyde referred to the General Plan and the following statement regarding private land use:

*“Duchesne County feels that residential, commercial, and industrial development on private land should be allowed to continue in a responsible manner and in locations that contribute to the economic and social well-being of County residents. The County will continually review and amend its existing ordinances as necessary to accurately and adequately reflect the land-use preferences of Duchesne County residents.”*

The rezoning criteria of Section 8-1-7 of the zoning ordinance are established to aid the Planning Commission and County Commissioners in determining which land use districts are appropriate in specific areas of the county. If those criteria are met, it can be presumed that the proposal will be consistent with the general plan.

**3. Compatibility with the neighborhood.**

Mr. Hyde stated the aerial photos indicate that there are a number of existing businesses in close proximity to this proposed rezone. To the northeast is Nebeker Trucking, Petroglyph, the future home of First Call Propane, a proposed commercial development on the Brad Mecham property and 34 acres of vacant industrial land owned by Matt Betts Trucking. To the northwest are Hosco and Iowa Tanklines. There is existing industrial zoning in the area as shown by the existing zoning map. Rezoning of the subject property would be compatible with the neighborhood, which has evolved, with the robust energy industry, to become a business cluster.

**4. What changes have occurred in the neighborhood since the zoning ordinance and map or latest amendment was enacted;**

In recent years, several businesses have located in this vicinity to serve the oilfield. The Planning Commission has granted conditional use permits or rezone request's to support these businesses, which were mentioned above. These changes in the neighborhood and the existing industrial zoning in the vicinity would support rezoning of this site for additional business use.

**5. Whether a change in the use for the affected properties will unduly affect the uses of adjoining properties.**

Mr. Hyde indicated the change of use of this property from agricultural to industrial would continue the recent trend in the area, which has seen a change of use from

vacant land to oilfield-related businesses. The proposed zoning and businesses expected to locate in this area are unlikely to have undue adverse effects on the adjoining properties and should be compatible with uses already established in the area.

## **6. Consider the interest of the applicant.**

The applicant's intent is to convert this property to its highest and best use and capitalize on the market for additional business sites. It is not the best location for residential development given the close proximity to existing businesses and an oil well located to the southeast of the subject property.

Mr. Hyde recommends the Planning Commission adopt the findings and conclusions herein and recommend the County Commissioners' approval of this rezone. No occupancy of buildings in the rezone area may occur until the applicants have improved the Highway 87 access point in accordance with UDOT Region 3 standards.

Mr. Hyde referred the commission to their packets and some aerial and site photos. The applicant has indicated he no longer can farm this area with the addition of a new oil well location and stated with the extension of the Johnson Water line this would a feasible option for future development in the area.

Mr. Hyde asked if there were any questions of the staff report.

There was some discussion about UDOT, the road approach and some recent zone changes in the area. There were no other questions, so the applicant was invited to speak.

Dan Crozier, the land owner and applicant, stated Mr. Hyde had covered everything in his staff report. Mr. Crozier indicated Stone Well Service has expressed interest in building a shop if the rezone is granted. They are ready to build and have Tri County Health approval. Mr. Betts, from Matt Betts Trucking, is willing to help with the improvements for the road approach and the Johnson Water line.

Commissioner Lindsay asked about the installation of fire hydrants with the new water lines. Mr. Crozier stated as the project moves forward, hydrants will installed as needed.

Commissioner Jorgensen asked Mr. Crozier if they agreed with UDOT's request to pave the approach off the main road. Mr. Crozier replied all three companies (Crozier, Stone Well Service and Betts) were going the share that cost and do not have a problem with it.

Commissioner Mair asked if there were any other questions or comments. There were none and with no one in the audience to speak against the applicants request, the public hearing was closed.

Commissioner Jorgensen motioned the Planning Commission adopt the findings and conclusions and recommend the County Commissioners' approval of this rezone, requested by Dan Crozier, changing 19.582 acres of land from Agricultural-Residential (A-5) to Industrial. No occupancy of buildings in the rezone area may occur until the applicants have improved the Highway 87 access point in accordance with UDOT Region 3 standards. Commissioner Olsen seconded the motion and it passed

unanimously.

**NEW BUSINESS:**

None

**Minutes: Approval of September 4, 2013 minutes.**

Commissioner Jorgensen moved to approve the minutes of the September 4, 2013 meeting. Commissioner Giles seconded the motion and it passed unanimously.

**Commission Comments and Staff Information Items**

Mr. Hyde stated, as of now, there is nothing definite for the November meeting. He informed the commission about the progress that has been made after they received the results of the traffic study on Highway 40 and 6250 South with the Titan Development project.

**Adjournment:**

Meeting adjourned at 5:22 p.m.