



Planning Commission Minutes: 07 June 2012

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Cache County Planning Commission

Minutes for 07 June 2012

Present: Chris Harrild, Josh Runhaar, Chris Sands, Chris Allen, Clair Ellis, Leslie Larson, Lamont Godfrey, Jon White, Denise Ciebien, Megan Izatt

Start Time: 5:32:00 (Video time not shown on DVD)

Larson welcomed and **Runhaar** gave opening remarks.

Minutes

May 3, 2012 - Passed

Agenda

Passed

5:38:00

Godfrey motioned to open the public hearing for the UTI Sardine rezone; **Sands** seconded; **Passed 5, 0.**

Public Hearing:

5:40:00

#1 UTI Sardine Rezone (Doug Kofford)

Harrild reviewed Mr. Doug Kofford's request for a recommendation of approval to the County Council for a rezone of 1.01 acre leased area of a 60 acre property in the Forest Recreation (FR-40) Zone to include the Public Infrastructure (PI) Overlay Zone located approximately 1 mile northwest of the UDOT road sheds off State Route 89. The applicants would like to add three more antennas to an existing tower. The only access is from the UDOT road sheds and is very primitive. Box Elder does not have any concerns with this location or access. UDOT recommended that when the CUP is considered, the item/applicant should attend a CAMP meeting to discuss the access with the UDOT representative. This will allow UDOT to formally consider and draft a letter stating that they are not concerned with the use of the road and are not going to require any road improvements. This will come back again for an update to the CUP at a later planning commission meeting if this rezone is approved by the County Council.

Sands motioned to close the public hearing for the UTI Sardine rezone; **Ellis** seconded; **Passed 5, 0.**

Planning commission and staff discussed the item. Essentially what is happening is the use of the land is being brought into alignment with the correct zoning. The county is working on

getting all the existing towers in the county into the correct zoning. If more towers are planned for this location, commission members suggested that tower designs be considered at that point.

Ellis motioned to recommend approval to the County Council for the UTI Sardine rezone with the stated findings of fact; Allen seconded; Passed 5, 0.

5:50:00

#2 Amendments to Title 17 – Schedule of Uses by Zone: Self-Service Storage Facility

Runhaar reviewed the changes to the schedule of uses by zone in regards to self-storage facilities. The changes would allow storage units only in the Industrial/Manufacturing Zones with a conditional use permit (CUP). The reason for not allowing storage units in the commercial zone is because that zone is set up for office space, business, etc and the industrial/manufacturing zone is better set up for storage units. Staff would like to see most items that are allowed in the industrial/manufacturing zone to become CUP so that the items would have to come before this board and that they won't be approved administratively. The difference between industrial and commercial zones and how those zones are different was discussed. One of the biggest things for the commercial zone is making sure that water and other services are present. Things like a cabinet shops, etc. are considered industrial. Commercial entities currently in the county are Ag supply stores, mechanical supply stores, and plumbing stores. Some members of the commission pointed out that storage units are not manufacturing things, they are selling a service. Staff is also looking at moving most business entities from a permitted use to a conditional use to allow more openness with the residents of the county. The mineral extraction zone is still being worked on to make it an overlay instead of a permanent zone.

5:53:00

Ellis motioned to open the public hearing for Amendments to Title 17; Sands seconded; Passed 5, 0.

Bob Zipf I was here many months ago when a storage unit area was approved to the south of Smithfield. Drive down 4600 north and you will see an eye sore. Today Rocky Mountain put 20 foot poles in the ground, above ground. 13 feet is the maximum and someone is going to have a problem. The FAA has said 13 feet is the maximum. I just want to make sure that we take mini-storage out of the Ag zone. On the conditions that were required, most of them have not been maintained. The drainage and water system have not been finished. The culvert that was supposed to be required hasn't happened and he has been using that drive way for quite awhile. Today when I talked to him he said, "I don't know how the poles got there." Aside from that mini-storage needs to be taken out of the Ag Zone. They should be in manufacturing or commercial or something like that.

Sands motioned to close the public hearing; Ellis seconded; Passed 5, 0.

Further action on this item will take place later in the meeting.

5:56:00

#3 Spring Ridge Estates Rezone (Justin & Steven Taylor)

Runhaar reviewed Mr. Justin and Mr. Steven Taylor's request for a recommendation of approval to the County Council for a rezone of 349 acres from the Agricultural (A-10) Zone to the Rural 2 (RU-2) Zone located at approximately 2150 North 8000 West, Petersboro. In today's configuration they would be allowed 53 lots, but with a rezone they would be allowed to have 179 lots. The area that has been rezoned in Box Elder is the first phase of High County Estates and is adjacent to the road. Access is from off the highway and any changes to the access would require approval from UDOT. There are some pieces of 8000 north that would have to be improved to service this number of homes. Service provided by the development in the area does include fire protection through a hydrant system and water system that is already there. Logan city would provide refuse service to this area. The problem comes in with servicing the roads, including snow removal. The county currently cannot meet the service needs for this area in regards to the roads. We cannot handle this level of service provision. There are a lot of out parcels and parcels in the middle that are not included in this and it is going to create confusion if we have a lot of 5 and 10 acre parcels and then a city built next to it. The county struggles with providing snow removal to the current county residents that we have now and to add 170+ homes is going to completely overwhelm the county.

6:05:00

Ellis motioned to open the public hearing; Godfrey seconded; Passed 5, 0.

Larson if the developer would comment if there are any new developments since the last meeting, we will start with them. We would like to have comments kept to 3 minutes and please try not to repeat things. If there is new information that is what is helpful to the commission.

Rod Blossom I believe there are people here who haven't heard the first part. Also, in the last meeting the commission asked several questions and asked us to provide more information. How would you like to handle that?

Justin Taylor I represent the Petersboro Partners in this rezone. I do have a letter from Cache Landmark addressing the questions that were raised from the last meeting. Last time at the meeting the request was the figures of the \$50,000 in debt that the county has figured, I would like to see how they reached that number. Cluster developments usually increase the productivity of the road maintenance.

Larson as far as it not increasing the load on the county, there is a time factor. How does that get addressed?

Mr. Taylor there is an increase in going out there, but like in trash, there is a miniscule time increase in picking up one more can and the revenue increases with that can. It basically defers the drive time cost over multiple houses and the same fee is applied per trash can whether that can is one block outside Logan City or located in Clarkston. So the revenue exponentially increases with the number of houses. We are requesting the RU2 zone which is an approved

zone with the necessary water, utilities and access. Prime agricultural ground is preserved with this and this zone should be applied. One thing that was mentioned was the municipal services that the county does not offer would be a burden. However, those services are being taken care of by the developer and the private water company. That takes off that burden of municipal service from the county and puts it on the developer and the water company. The road standards that are being used within the subdivision are greater than those required by the county. There will be wider lanes and a more substantial road. The water company is a state approved and state monitored water company and has to meet all the same requirements as Logan City and other water companies in the state. The 250,000 gallon tanks and the current well allow us to serve 83 homes. There is a well currently being completed that would increase that to service the other homes. When homes are clustered, the factor goes down as opposed to how many homes you can service in a certain time frame. The travel time is there, but the taxes should offset that because it is a clustered area. It has adequate public services as if you were living in a city because the developer has provided the fire protection and water. The area that was rezoned a couple of months ago, there are 29 lots and 8 of the lots are under contract. There will be open space between the Box Elder County line and the Cache County line and that will be maintained by the Home Owners Association (HOA). Some of the details that we're asked for in the last meeting Rod Blossom will answer.

Mr. Blossom we have worked with the developers for some period of time out there. What we have attempted to do is put some maps together to answer some of the questions that were brought up last time. The yellow area is the subdivision currently. The area adjacent to this on the Box Elder area is a 2 acre zone as well. The state and county roads are marked in red and the other roads are county maintained for the most part. Also, the county requires that any new roads that come in will be county roads. On sheet two of this map is a septic tank feasibility. Spring Ridge Estates is already approved for septic tanks and the area to the west is also approved for septic tanks. The darker colors are steeper slopes, but nearly all of it is buildable. There is a 250,000 gallon tank and the water system is available to both parties, the area in Box Elder and Cache. It is fairly unusual for a fire system to be in place that is not done by the County. Right here we have a conceptual master plan. This gives you an idea of what we are talking about. We are talking about clustering lots and keeping some open space. There is a good layout on this.

White when you talk about the 250,000 gallon tank, doesn't the state require the first 250,000 gallons for fire protection?

Mr. Blossom this has all been state approved and does have adequate fire protection.

Mr. Taylor yes there is a large number, but it is not all 250,000 gallons designated for fire suppression. From the 250,000 storage they have to provide so many hours for a home and they factor that down and that provides all the fire suppression needed. Every house added there after the amount drops down. They take out a 1/3 of the water for a safe yield and then you are calculated on the houses that you can service. You have 2/3's left after fire suppression to service the homes. We have hit and tested about 200 gallons per minutes with the new well that is going to come online in the summer.

White my question wasn't in regards to the gallons, but in the storage.

Mr. Blossom it is an approved system and we can go over the numbers as well. There are a certain number of homes that are allowed on the 250,000 gallon tank. Homes beyond that number are required to have a different water source to have adequate fire protection

White the septic tanks, was that based on a 2 acre lot or what has been proposed currently?

Mr. Blossom we haven't submitted anything for approval on what has been proposed.

Runhaar chances are that this area is very gravel intensive and there is likely to be less of an issue with septic tanks on smaller lots since they aren't going to be required to drill a well.

Mr. Blossom that is a Bear River Health Department (BRHD) process and we will do that. We'll work with all the state and local departments we need to, to get the necessary permits and processes done.

Kris Karfordt I'm a planner with Cache Landmark. We have looked at a lot of things with the feasibility of a site like this. They've talked a lot about some of the functions and utilities. We've also looked at the grade of the land and the slopes and plans for homes on areas that are not over 30% slope. All the roads are in areas that can be well graded and maintained. We've also tried to add some perforation so that the access isn't so concentrated and also tried to take advantage of current county roads. A County road passes right through the western edge of this development and then ties through to the Box Elder side. We've tried to buffer the drainages and have allowed more space there and would provide room to allow the restoration of riparian habitats. We also tried to provide tons of connectivity in that open space and we've put it in places that would maintain wildlife corridors connected to large passes as well as even preserving the most highly productive soils and buffering those with the highway. I think there was some discussion at one point in a prior meeting about commercial even though we are only asking for the RU-2 zone at this point. We did identify areas for future potential commercial area. Those two lots as they are shown on here are being incorporated in to that overall lot count. We just wanted you to see the overview of what we are thinking. You can assume there are septic tanks for each of the homes shown and the soil is very receptive to that.

Ellis we're not here to approve a particular design, but I'm wondering why this couldn't be done incrementally? If everything is modular, would it be detrimental to do it incrementally?

Mr. Kvarfordt no, but in my opinion planning land is best done in as large and contiguous parcels as possible. You can plan better that way. My experience has been that a lot of times a lot of agencies want to see that as well, they want to see your master plan. I've told a lot of my clients that you should plan it all before hand behind closed doors and then present it. That is a double edge sword, but planning it all at once is better. Definitely planning it all at once is better, but a lot of the planning and moving forward is up to the landowner and this is how they chose to put it forth. If I own this much land, I might do it differently.

Marilee Grodkowski I have two concerns. One is with spring runoff because as you know, we do have a high clay soil and we have an issue with this. I don't know how much it would affect this development, but in Petersboro we don't have any infrastructure to defer the spring runoff.

Right now, we do what we can to divert the water away from our homes sometimes there is ditches to put the water and sometimes there is not. When there is not, the water ends up pooling on the roads. That is an issue I would like to see addressed if development continues to develop out in Petersboro. My other concern is the tax base in bedroom communities. As has been said, the developer is stating that they are providing many of those services, but we are relying on their word to do that and other developers that come in might not be able to meet those needs. I don't want to see commercial and industrial areas come into Petersboro but I think to have a decent tax base that is what you would have to do.

Darrin Cox I am a land owner out there that borders this. I wasn't able to be here for the last meeting, but my view point is that you have already approved a cluster development in this area that the gate has already been opened. Taking that into consideration I think that you would have to approve the next guy that comes by.

Juliene Robins I live in Petersboro and I did attend last month's meeting and have done a lot of research. Some of the issues that I am concerned about is water and fire control. Currently those fire hydrants that they have installed are on the Box Elder side. I haven't heard how close the hydrants have to be to homes in that area. Another concern I have is the traffic and the increase that would happen up there. I did contact UDOT and they had no clue that this was going in up there and were grateful for the heads up. But according to the road situation right now it was mentioned that there is a county road on the west side of this development but it is not maintained at all by the county and is not suitable. The storm water issues are a concern. We do have a lot of drainage problems and on this piece of property there are a lot of hills and vales. We do have a flood problem in Petersboro and because this development is being built above me I am concerned about the storm water issues and the runoff and how that will affect me. I want to find out where in the world they were going to maintain this many homes with water sources. I actually was on a spring until 4 years ago and my spring was not enough to take care of me and I had to give up my spring rights to drill a well. 365 feet later I was finally able to attain water and I don't want to give up my water. As was mentioned in the last meeting there is no way to get compensation when your water is taken away. I want to see what the Petersboro partners are going to do as far as compensation if they affect the other residents' wells. In reviewing their water rights, The Willow Creek Water Company's well was 220 feet deep and produces about 100 gallons per min. That has been approved for 84 homes.

Larson You have done some great research here, but the water issue we don't determine. This information would be very helpful at the meetings with the Division of Water Resources. All we do is make sure that the water has been allocated and supports the development.

Ms. Robins but according to my research, they don't have the water rights to support this development and they have very high arsenic levels.

Larson that is a petition that should be given to the Division of Water Resources. If they allocate it, we have to go on their stamp approval. We don't decide it independently, that is the state water engineer.

Ellis one of the criteria for the RU-2 zone is that there be adequate water for any kind of development. If what I'm hearing there is water for 84 homes, maybe that would affect the scale of the development.

Runhaar I think we need to be careful of where we cross line from a rezone to a subdivision. We won't be jumping into actual water rights at this point. We are just looking at the potential for the water to be there. The potential is there even if they don't have their well permit. The question for you is do you want to see that the water is allocated prior to rezone? The County typically only requires that water be allocated prior to a subdivision. While we need this information, we have to be careful as to where that water comes into effect. They have a water system and while it may not be sufficient to handle that many more homes, the potential is there to expand. The question is going to be if that is sufficient, but I would hedge against asking for water rights prior to rezone. Once the water is changed, there is a time clock and if the deadlines aren't meant that is a lot of money lost.

Ellis the 84 units that are there are approved, but there is potential for more.

Runhaar correct. The question for you is to say whether or not the potential for expansion has met the requirement for water to be provided.

Ms. Robins according to the division of drinking water and the divisions of environmental quality, they told me that the current water system that is being used is actually being increased and monitored right now. Last year in 2011 they had been checking due to problems with arsenic. Anything above a 10 has to be abandoned or condemned or a treatment plant must be in place or a new water source has to be found. Last year with the Beaver Dam development of Sleepy Hollow springs that service all the people there, last March it was 11.1, last May it was 8.8 and last fall it was 11.2 which is above 10. Also with the Willow Creek Water company, which is the well that is now servicing that area, their levels were 18.6 in March, and 34.1 in May of 2011. According to that they still have to run two more samples and the water doesn't look good or is clean enough. She did tell me the risk of that and that there is a possibility of a point of use device to clean out the levels and that is only allowed for 70 homes or less otherwise they will have to put in a treatment plant. Their wells are not maintained by state agencies and they are only being monitored. The test well that is being drilled it actually has not had a change application or water rights filed on it. There is nothing saying how many gallons per minutes are coming out and these are the issues that I would like to have addressed.

Jack Fryer last time I said they are painting a pretty picture and they do but that won't necessarily come true. I believe what you are being asked is give me what I want and I'll tell you how I'm going to do it later, don't do that.

Vern Nelson I'm right at the bottom of the hill, and everything that is on top comes down. I went through Envision Cache Valley last night and I believe Mr. Ellis was on the steering committee for this. One of the big things I saw in this, is to keep the country, country. It says something like 96% of the opinion of the people that responded to this, wanted the Agricultural land preserved. They wanted the building to take place around the municipalities. This rezone isn't close to a municipality. I feel like money was spent on this survey to get the opinion of the valley, the entire valley. Now to me, I think I would pay attention to what the people of the

entire valley want, not the developer. You people have the authority and the power to either start or stop this thing right now. Water is an issue, and you know. Please represent all the people in the valley and not just a select few, thank you.

Melayna Knowles I live in Petersboro. I appreciate the work that my neighbors have done in finding out the things you would like to know in why we oppose this. There was comment made that there has been a rezone already done that has opened the door. But, we don't have to continue down that road. The people who live there know and like how Petersboro is now. We like the openness and the agricultural area around it. For many of us that agricultural land is part of our heritage, our ancestry. When this land was purchased as agriculture and it should stay that way.

Valerie Harris I live in Petersboro also. They mentioned that they wanted this to be like Eagle Mountain. Eagle Mountain was started as just over 200 homes in 1996, but now there are more than 20,000 people there. It was just under 20 years. I understand this is where the development wants to head. I understand that there is growth in Utah and that there are 3,000 people moving in monthly. I realize from here down to southern Utah all you see are homes. I went to college here in the early '90s and it's not the same which is ok. Growth is good in some areas and people need to be able to move and have a place to live. Utah is a desirable place to live. I want you to think about what Eagle Mountain and some of the developments look like down to Salt Lake Valley. My thought is that these developers wanted to develop for 20 or 30 years. The water rights have been in order since the '70s. These people have owned the property and have wanted to develop for many years. They should be allowed to develop, but with wisdom from the Planning Commission and the people of Cache Valley. That the growth is going to happen, yes, but to open to the flood gates and this is opening a flood gate. It's already happened, yes, but we need to be wise and look at the zoning codes. I don't feel that Cache County has the laws or zones for this. I feel that that has to happen first. I realize that it is a big cost to come up with a county code and it is a big cost to come up with a county plan and there isn't money to do that. If there isn't money to do that, where in the county is there money to put towards this type of development. In the hopes that this would grow, because yes it will. My questions is does Cache County have the commercial base for this, the jobs for this? My other concern is that Cache Valley is a bowl, we are a round shaped valley. The pollution in this valley is some of the highest in the USA. I'm concerned that if the code isn't set up correctly, RU-2 and smaller and all the other things that have to come with it, the commercial lots and everything else will make it a harder place to even breathe, just like Los Angeles. Why do I compare them? Because we are so much smaller and our bowl mountains keep the smog in. I'm concerned about the health and safety of our citizens. I'm concerned about the farmers and they won't be able to afford their taxes as the taxes go up due to this type of development. This has happened in a lot of Utah where I grew up. People can no longer afford to keep their land due to the taxes and are forced to sell to people who would like to develop. I understand this and it happens, and it will. But it is unfortunate that in an un-incorporated area of the county this is happening, I would like you to deny this.

Mel Torrie Chris could you answer the question in regards to what type of decision this is?

Harrild it is a legislative decision.

Mr. Torrie could you explain that please.

Runhaar a legislative decision is a decision under the jurisdiction of the County Council, the elected body. A legislative decision can be made based on any number findings of fact and does not have to conform to a code or a general plan. It can, if you have those in place, but a legislative decision has a great flexibility or variability in how the public body wants to go.

Mr. Torrie so it's not based on certain laws or codes?

Runhaar no, those are administrative decisions.

Mr. Torrie I was a little bummed. I went to Chuck-o-Rama and there was a County Council member was there and stated that the developer has deep pockets so there was nothing that could be done to stop it. So everything will exceed the road requirements, the sewer and water comments and it is coming. That bummed me out and they represent me. They are bringing in a city, you did this Envision Cache Valley survey. You used my tax money to get the voice of the people. There was also a petition for this particular project and there were 166 Petersboro people who put their voice against it. So, really it's not going to come down to the laws and it's not going to come down to the bylaws it's going to come down to is it good for the community or isn't. I would ask you to consider the requests of those who've built their homes out there, and invested in the land out there based on their understanding of farm land vs. the city and how they understand Envision Cache Valley. I don't want to get too personal, but I live on the border of this property. I've invested over \$2 million to take my agricultural experiment station out there. We do robotics research for Case, New Holland, and John Deere. So we have tractors running out there. I was in Cache County before and was annexed in to the city and got surrounded by a 200 home development and was forced to move because 1: Case New Holland doesn't want children out playing in the yards with lots of homes around when they have research tractors working and also there is a greater visibility of the new technology they are researching. So personally it's a hit on my investment, but in general as a community member I don't think it's right for the community.

Travis Green I live in Petersboro. I agree with everything that has been said, especially with what Mr. Nelson has said regarding Envision Cache Valley. Keep the country, country and the city, city. I've got to assume there are plenty of lots in the subdivision and they can expand there. Everybody that is living out there wants to live in the county and with all that that brings. If the growth gradually grows in Cache Valley, so be it. A couple of things that I haven't heard tonight are that there is a lot of wildlife in that area. That is a summer range for deer, right there where they are going to build their homes. Those deer live there all spring and summer. Anyone who goes up the hill, and a lot of people do, to watch these deer won't get that. The wildlife I see from my window and my deck is beautiful. As development comes, it will push the wildlife further up and takes their summer range. Another issue is the BRHD approved septic tanks. I've been there 4 years and my approved septic tank failed, and it's just me, my wife, and my 5 year old daughter. It's rocky up on Mr. Veibells' area, but where I'm at it's not. Luckily where I live, I had a larger parcel to t-off from and do a new system. When it fails on a 1/2 acre parcel, what happens when they don't have the room to t-off and go to a new system? It does not drain well, from my personal experience. Even if it is approved, and I don't question BRHD's abilities, but mine failed after 3 years and if theirs does where do they go?

Larson if no one else would like to speak we will hear from the applicant.

Mr. Blossom part of it is, the water system that has been brought up. They have drilled a new well and are going through the approval process. It does not have arsenic in it. They do have a filtered system and we are working with the state and we won't have more houses than they approved. Same thing with the septic system, we are working with BRHD to do the best thing. As far as ½ acre lots, they aren't ½ acre lots, they are 2 acre parcels. Those are issues for development and to be handled after the rezone. We have to show the council everything we are doing and you will have a chance to say at that point what you don't like and how to fix it. I don't know anything about the developers bankroll or anything like that. I know that I live in Cache Valley too and I like to see open space. At the same time there are people who want to move here and we can't deny them that opportunity. So we just want to do it correctly. My question to you is, you have a zone that is the density RU-2. 1 unit per 2 acres, that's the density. If you cluster it, you end up with some open spaces that are useable. If you don't cluster it, if you just require the lots then you typically have sprawl. Sprawl is not necessarily in the city, but in the county because they allow 10 acre lots. Most 10 acre lots can't be farmed. You have your house, yard, and possibly a garden, but the rest of it goes to weeds. If you have a bigger piece, yes you can farm or do something else with it. I think what this does, this zone, and I know staff wants more direction as to where to put this RU-2 zone. Cost wise, that is one of the issues; if you do this right you'll have more taxes on that than you would on an A-10 but the same number of roads. The rest, and personally I think for Cache County, one of the things that should be considered is that they should be on a community water system like this. It provides fire suppression and things like that. If we are going to develop correctly, then this is going to be a good tool and should be used. I think it would create more open space that can be maintained. We've done some other ones, like in Wellsville where there is open space and frontage. To begin with it was farm and those lots are great. It's not an unusual thing or idea. It's a density zone that allows you to preserve open space rather than having somebody's back yard as weeds. I think that is one of things that we need to consider. I think this will be done well, I know the water isn't good. They've had shallow wells that have had arsenic and had problems. We've also talked to Bear River Conservancy District and picking up the wells there and that will provide more service. You talk about taking care of things, let's just do 5 lots along the highway; those are not going to pay for what is needed in that area. I suggest you take a look at it and decide what is best. We are asking for a rezone and I think it is what you want for development in that area. Kris (Kvarfordt) has done a great job on the master plan and shows how it can be done. There is quite a bit of open space, or it can be 10 acre lots.

Larson we've had a lot of people comment and question about the runoff. Can you comment on what you would do to contain the water?

Mr. Blossom we have to take care of retention and take care of those things. Some of those things can be directed in the right areas. This development will have storm drainage as part of their process and approval. Anywhere in the county requires that.

Mr. Kvarfordt the best way would be to reopen the drainage up and re-vegetate it with the correct woody vegetation. Agriculture pushes all that edge right up to the channel and there isn't room for ecology to do what it is supposed to do. One thing that I forgot to mention is that there

is a lot of opportunity for this to set the standard for how open space maybe able to be maintained. In regards to the Envision Cache Valley we were contracted to help with some of the maps for that through Envision Utah for a parcel just south of Hyrum Dam. We did a bird's eye perspective and they asked us to show them what it would look like with 10 acre lots, and what it would look like with a cluster development. Let me tell you nothing would cut this valley up more and make it harder to water and harder to handle than 10 acre lots and that is just my personal opinion.

Mr. S. Taylor I have a tiny bit of history. In 1977 I drove up that road and Mr. Veibell had his home up there. I wasn't a real estate agent until about 6 years ago, and now that area has grown and it is beautiful. I think this is the best opportunity to do a solid plan. Now you can say let's restrict all to within 100 feet of county roads and then you have strip developments and Ag fields that are hard to get to and hard to farm because they need the county roads to get to their agricultural fields too. This is the best case as to how agricultural development could happen and you folks hold the controls. You hold the controls to all of that. We are only asking for a rezone so we can plan. If you make it too big of a rezone it's hard to plan, as Kris (Kvarfordt) has mentioned. I would encourage you to give that some serious consideration, thank you.

Godfrey motioned to close the public hearing; Allen seconded; Passed 5, 0.

Staff clarified the difference between RU-2 and A-10 zone. If the land were to stay A-10, clustering would still be allowed. Staff also addressed issues raised by the applicant. The original development had a single loop road. With the proposed application, there would be multiple roads and that is going to cost more to maintain and remove snow. County taxes from the general fund help offset the cost of road maintenance. Small communities currently face that problem. They can't maintain the roads they have due to the lack of a real commercial in the community and the county is facing that problem also and will continue to face that problem. The county does not have the means to provide adequate road service for this area and this application is going to provide a higher tax burden that the county cannot handle.

The planning commission discussed their opinions for the current application. Many discussed the Envision Cache Valley Process and that opinion of the county residents for development to be closer to current urban development. However, with that said, a denial of this application is not going to guarantee that people will move into the municipalities that are currently here. Many commissioners also were uncomfortable with the size of the development. There were also concerns with 200+ septic tanks concentrated in one area.

White we did receive a letter from the Blacksmith Fork Conservation District. Basically the conversation districts were concerned about Cub Reservoir and the water that comes into it and the runoff that comes down. We know there is water and there's got to be growth. The things we are concerned about are the runoff, and the impact you will have when you do the development. We are supposed to protect things like the sharp tail grouse and I don't know if this will affect that, but that is what the letter was about.

Many commissioners again expressed a concern with the sheer size of the area that has been presented for rezone. However, with that said, the commissioners did agree that the master plan that was presented was well designed. The septic system issue was discussed again. Septic can

be run through open space, but if down the road development were to happen in those areas it could possibly cause problems.

Sands motioned to extend the meeting until 8:30; Ellis seconded; Passed 3, 2.

Allen motioned to recommend denial of the Spring Ridge Estates rezone to the County Council with the amended findings of fact; Sands seconded; Passed 4, 0 (Godfrey abstained).

8:05:00

Regular Agenda:

#4 Hyrum Dam Acreage Subdivision (Robert Wright)

Harrild reviewed Mr. Robert Wright's request for a recommendation of approval to the County Council for a 1-lot subdivision and an agricultural remainder on 129 acres of property in the Agricultural (A-10) Zone located at approximately 1550 West 6600 South, south of Hyrum. Access to this property is currently inadequate. The applicant has provided a letter stating that they are willing to improve the road to meet the county standards and therefore provide adequate access. An encroachment permit will be needed to complete those improvements.

Staff and commission members discussed the previous illegal division of the land. By doing the subdivision, the division becomes legal and they are allowed the buildable lot.

Sands motioned to recommend approval of the Hyrum Dam Acreage Subdivision to the County Council with the conditions of approval and findings of fact as noted in the staff report; Ellis seconded; Passed 5, 0.

#5 Two Munk Brothers Subdivision (Trevor Munk)

Harrild reviewed Mr. Trevor Munk's request for a recommendation of approval to the County Council for a 3-lot subdivision and an agricultural remainder on 59.13 acres of property in the Agricultural (A-10) Zone located at approximately 5453 North 2400 West, Benson. There is a significant portion of wetlands in this area and there are concerns with drainage. A culvert will be required and the size of the culvert will be determined by the county engineer. Staff has had problems with the survey and what the county requires on the survey. The portion of the land that is shown on the map is the developable area. The final plat will show the entire Ag remainder, not just the developable lots. There is an identified flood plane in this area and the houses would be required to build up on the flat land.

Allen motioned to recommend approval of the Two Munk Brothers Subdivision to the County Council with the conditions of approval and findings of fact as noted in the staff report; Godfrey seconded; Passed 5, 0.

8:18:00

#6 Amendments to Title 17 – 17.07 Definitions, 17.09 Schedule of Zoning Uses

Staff and commission discussed the proposed change to where storage units are allowed. Currently storage units are allowed basically anywhere and the proposal would be to only allow storage units in the industrial/Manufacturing Zone. While restricting where commercial and industrial/manufacturing is allowed, the county does need to plan for where those zones are going to be in the County.

Sands motioned to recommend to the County Council to amend the existing use chart as regards a Self-service Storage Facility to show that a Self-service Storage Facility is allowed only as a conditional use in the Industrial/Manufacturing (IM) Zone; *Ellis* seconded; **Passed 5, 0.**

#7 Discussion – Ordinance Revision Priorities

Staff made the commission aware of the County Council's desire for the ordinance revision priorities to be attended to. The definitions and use charts need to be revised because they are in terrible shape and are causing problems in day to day administrative decision making.

8:29:00

Adjourned

Planning Commission

June 7, 2012

Kristofor Kravford
Name

615 Le Plessis Dr
Address

Justin Taylor

83 Canterbury

Rod Blossom

Logan

Steven Taylor

Logan

Sheryl Fullmer

No Logan

NEFI GARCIA

SANDY, UT (applicant UTI
940 N Brodeside ^{Sanding} Preston

Bob Wylet

Cali Wilcox

7045 W. Hwy. 30 Petersboro

Trevor Munk

5453 N 2400 W Benson UT 84335

Melody Taylor

Spring Ridge Estates
Petersboro ut #7645 W. Hwy 30

Dan Wilcox

Brent Munk

2290 W 5800 N Ananya Utah

Kiersten Munk

5453 N. 2400 W. Benson

Emily Munk

5449 N 2400 W Benson

Cameron Munk

5449 N. 2400 W. Benson

Vern Nielsen

5331 W Hwy 30 Petersboro

Bob Zipp

602 W Aboki Smithfield

John Fry

7639 W. Hwy 30

Danum Lee

Petersboro

Raeglyn Terrie

880 N 8000 W Petersboro

Marilyn Shodkowski

6822 W. 600 N. Petersboro

Malynat Knowles

1311 N 6400 W Petersboro

Stephanie Parish

351 N 7200 W Petersboro

Juliene Robins

7621 W. Hwy 30 Petersboro

Keagan Robins

" "

Brent Parker

Valerie Harris

805 N. 6000 W. Petersboro

Kurt & Audie Brundum

659 N. 6000 W, Petersboro