

The *Minutes* of the regular meeting held on November 21, 2002 were given to the Planning Commissioner prior to this meeting (February 20, 2003) for their review. Chairman Kimber asked for a Motion as to whether or not the *Minutes* should be accepted as written. Commissioner Tea suggested that the motion for the Stevenson Farms Subdivision be reworded to include the easement, private road, and water issues regarding that particular subdivision. It was so noted and changes were made. A motion was then made by Commissioner Thompson that the Minutes of the November 21, 2002 Planning Commission Meeting be accepted as corrected and submit to the Chairman for his signature. The motion was seconded by Commissioner Tea and passed unanimously.

All of the items on the Consent Agenda were removed for individual review at this meeting.

SUBDIVISIONS FOR APPROVAL

THE DAWN REEDER ONE-LOT SUBDIVISION, LOCATED AT OR ABOUT 1595 NORTH 6400 WEST IN THE CORINNE AREA.

This one lot subdivision is located in an area of the County that is currently un-zoned and consists of one-half acre. The petitioner has provided proof of all utilities with water being provided by the West Corinne Water Company. As the petition is in accordance with the existing subdivision ordinances and Zoning Requirements, Mr. Day recommended granting preliminary and final approval at this time.

MOTION: A motion was made by Commissioner Tea to grant preliminary and final approval to the Dawn Reeder One-Lot Subdivision and submit to the Chairman for signature. The motion was seconded by Commissioner Thompson and passed unanimously.

CAROL ANDERSON ONE-LOT SUBDIVISION, LOCATED AT OR ABOUT 12800 NORTH 4820 WEST IN THE WEST GARLAND AREA.

This one-lot subdivision is located in an area of the County that is currently un-zoned and consists of one acre. The petitioner has provided proof of all utilities EXCEPT the availability of water at this time. Also, there is no recommendation from the Heath Department regarding the septic system for this lot. Other than the two items mentioned above, the petition appears to be in accordance with the existing subdivision ordinances and Zoning Requirements. Mr. Day recommended that the Planning Commission grant preliminary and final approval, at this time, contingent upon the Planning Office receiving verification from the petitioner that water is available to this lot and approval from the Health Department regarding the septic system.

MOTION: A motion was made by Commissioner Eberhard that the Carol Anderson One-Lot Subdivision be granted preliminary and final approval subject to the Planning

Office receiving verification from the petitioner regarding the availability of water service for this lot and approval by the Health Department; at which time the Chairman would be authorized to sign. The motion was seconded by **Commissioner Tea** and passed unanimously.

MUNNS TWO-LOT SUBDIVISION (AMENDMENT NUMBER ONE), LOCATED AT OR ABOUT 3365 NORTH HIGHWAY 38 IN THE HARPER WARD AREA.

The Munns Subdivision is a minor boundary line adjustment. The boundary line is being adjusted between lot two and the remainder parcel by about six feet on one end and about one foot on the other in order that the boundary will conform to the existing fence line. The adjustment of the line will not affect any homeowners. Monte Munns is the owner of lot-one and Bruce Evans is the owner of lot-two. The amendment of the subdivision was filed by Bruce Evans, as he was trying to get the property line properly aligned with the existing east fence line.

MOTION: A motion was made by **Commissioner Tea** that the Munns Subdivision Amendment One be granted approval at this time and submitted to the Chairman for signature. The motion was seconded by **Commissioner Thompson** and passed unanimously.

TREMONTON CITY CONDITIONAL USE PERMIT, LOCATED AT OR ABOUT TWO AND ONE HALF MILES WEST OF 8400 WEST AT 6800 NORTH IN THE TREMONTON AREA.

Mayor Max Weese addressed the Planning Commissioners concerning the proposal for a composting facility on 8400 West and 6800 North. The area is un-zoned and located directly east of the Bird Refuge north/south fence line. The property is currently owned by Reed Jensen and Tremonton City is proposing to purchase twenty acres in order to move the composting facility from the treatment plant to this new location. The process for the compost will be changed and *Mayor Weese* asked *Paul Fulgham* to explain that process to the Planning Commissioners. *Mr. Fulgham* explained that Tremonton City has outgrown its existing facility, and with Malto-Meal coming to the area it will affect it even more. The twenty acres will allow the composting to be different from what the waste treatment plant is currently doing, as the compost area will have to meet the EPA standards. There will be a concrete or asphalt pad for the compost area; all of the water run-off will have to be collected in a retention basin to be evaporated out during the summer months. Other than those changes the procedures will be the same as those existing. The solids will be mixed with sludge, wood chips and green waste materials and every three days the piles will be turned and once it meets the EPA criteria for time and heat and bacteria reduction then it will be screened and hauled back to Tremonton to be given to the Tremonton/Garland citizens or whoever else may want to use it. *Mayor Weese* added that the area of the County by the old landfill where tree branches are currently being taken would be cleaned up and closed, as this material will be taken to the new facility. **Commissioner Tea** asked if this facility would be taking green waste from citizens of the County at no charge. *Mr. Fulgham* said that citizens would be able to bring in green waste and wood chips with no tipping fees. There will be a fence around the facility (posted) with part-time attendants during the days to monitor the materials that are brought in by citizens.

MOTION: A motion was made by **Commissioner Thompson** that the Planning Commission recommends to the County Commissioners that the Tremonton City Conditional Use Permit be approved. Commissioner Holmgren seconded the motion. **Commissioner Tea** asked if there were any conditions that needed to be included along with the recommendation to the County Commission in regards to approving this CUP. Mr. Day stated that there were not any conditions as this area is in a part of the County that is currently un-zoned. Tremonton City would have to follow the EPA rules and the general guidelines of the County. The Motion passed unanimously.

UNFINISHED BUSINESS

THE STEVENSON FARMS TEN-LOT SUBDIVISION, LOCATED AT OR ABOUT 12024 NORTH 10000 WEST IN THE BOTHWELL AREA.

The Planning Commission at their November 21, 2002 meeting first reviewed this ten-lot subdivision; at that time it received conceptual and preliminary approval. The property is located in the Bothwell area of the County that is currently zoned RR-5. Each of the lots meets the minimum size of five acres. The petitioner has agreed to pave 10000 West and build it to County standards the entire length of the subdivision. The Planning Office has received the construction documents and has reviewed them. Also, the financial guarantees have been received for those improvements. The Bear River Water Conservancy District will supply water. The BRWCD has not fully reviewed the engineer drawings for the water line but told Mr. Day that they were not opposed to the Planning Commission granting final approval with the condition that the Water District still needs to review (and give final approval) of those drawings. **Commissioner Eberhard** asked about the narrow bridge located on the north end of 10000 West. Mr. Day said that he and the County Surveyor had looked at the bridge and that there are monies available for such projects. As the bridge is located outside of the subdivision boundaries, it was agreed that it would be looked at by the County Road Department to determine what needed to be done for improvement. The **sixty-six foot right-of-way road** between lots five and six, which provides farm access, has been excluded from the subdivision. The petitioner has been made aware that if the area behind these ten lots should be developed in the future, the road (871 feet) would have to be built to County standards. **Commissioner Eberhard** also asked about the drain water that would result from irrigation water to these ten lots. (Each lot will receive three water shares with the five acres.) There is an existing drain ditch along the front of the development and another ditch is proposed for the back of the ten lots. As for the storm water that is generated, it would be the responsibility of each individual landowner to contain that water on their lot; meaning that the lot could not be landscaped in such a way as to cause storm water to drain from one lot to another [and would be so noted on the plat map]. *Katie Bodily* of Bothwell asked the Commissioners about the paving of 10000 West and if [the pavement] would continue on to the next corner. Dr. Day stated that it would only go to the end of lot ten and stop. **Commissioner Eberhard** asked about the requirement of pavement having to go a certain distance beyond the last lot. However, since this is just an extension of the already existing pavement on 10000 West it would not have to continue on for 200 feet beyond the last lot (as per existing ordinance). According to Mr. Day, as the ordinance concerns developments along an existing dirt road, he was not sure how the

Commission would be able to deal with an area where an already existing (County) paved road is being extended. This road does continue on beyond the subdivision to access a frontage road. Mr. Day stated that although this is a County road it has not been built to any standards and would be quite a project to improve the road at this time. Mr. Day told the Commissioners that they could require that an additional 200 feet beyond lot ten be improved to County standards, however that would also require that agreements be secured from the adjoining property owners to reimburse the developer for those improvements. **Commissioner Davis** pointed out that there are fourteen hundred fifty miles of County roads within the County and only about three miles are improved or repaved each year by the County Road Department. If the recommendations for improvements of roads are not made at the Planning Commission level, those improvements will probably not happen. **Chairman Kimber** said that because of all of the other issues that come into play if the road were paved beyond the last lot, he (as an individual) would be reluctant to require the developer to pave more of the road. After some discussion it was decided that a Rural Road Agreement could be used for the owner of lot ten if they were concerned about the dust caused by the pavement ending at the end of their lot. At the conclusion of the discussion, Mr. Day recommended that petition be granted final approval contingent upon the water company granting their final approval for the project.

MOTION: A motion was made by **Commissioner Thompson** to grant final approval for the Stevenson Farms Ten-lot Subdivision subject to the Bear River Water Conservancy District granting their final approval of the engineering design of the water line and that lot ten be restricted to the constraints of the Rural Road Agreement. The motion was seconded by **Commissioner Tea** and passed with **Commissioner Eberhard** voting no.

NEW BUSINESS

SCENIC DEVELOPMENT, INC. FIFTY-SEVEN LOT SUBDIVISION, LOCATED AT OR ABOUT 10880 WEST 12800 NORTH IN THE BOTHWELL AREA

Mr. Day addressed the Commissioners concerning this fifty seven-lot subdivision that is located in an un-zoned area of the County just outside of the zoned Bothwell area. The petition was before the Commission for only conceptual review at this time. Each lot varies from one to two acres, depending on its location within the subdivision. The design is in general compliance with the existing subdivision ordinances and Zoning Requirements with a few exceptions, which Mr. Day outlined for the Commissioners.

- ▶ the petition is in the vicinity of an Agricultural Protection zone and must be properly noted on the plat
- ▶ the vicinity map, name of subdivision, and sketch plan that have been received are only the starting point
- ▶ it is required that the development be phased with the maximum of nineteen lots in each phase of development

- ▶ the water is being provided by the Bear River Water Conservancy District and at this time there has only been a conceptual review completed; as each phase comes in they will be reviewed separately for the water taps. (a letter has been received stating that it is feasible for the BRWCD to provide the water to the area)
- ▶ the engineering cost estimates for the improvements need to be submitted prior to final approval of the subdivision
- ▶ there are two cul-de-sacs located in the center of the project and these would be eliminated and connected to provide a better traffic flow and circulation. The third cul-de-sac may result in a stub road
- ▶ all of the stub streets are required to have a temporary turn-a-round installed
- ▶ all of the individual septic tanks will need to have individual approval by the Bear River Health Department prior to issuing individual building permits
- ▶ there needs to be a preliminary discussion regarding the storm water that this subdivision will generate
- ▶ the petitioner must submit an escrow agreement and development agreement to the Planning Office prior to receiving final approval for the project
- ▶ all of the roads, i.e. 12800 North; 10800 West; and streets within the subdivision are to be paved and brought to the County standards
- ▶ 10800 West is not a fully dedicated road; meaning that it is NOT sixty-six feet wide, and would need to be dedicated (may have to go to the individual property owners of those lots along the road to get dedication)
- ▶ there is a question as to whether or not there are any wells located on this property, and if so they will need to be protected and so noted on the plat. (the petitioner, Mr. Lynn Rindlisbacher said that he thought that there were probably three or four wells located within the development area, but he was not sure of their classification)
- ▶ any detention basins associated with the development need to be shown on the concept plan
- ▶ access to the lot would be the responsibility of the individual lot owner and would be so noted on the plat

At the conclusion of Mr. Day's comments he stated that there had been several phone calls received by the Planning Office in regards to this project and that there were individuals in the audience that may have comments or concerns (even though this was not a public hearing). **Commissioner Tea** asked about where the pavement on 10800 West ended and where the subdivision would begin. **Commissioner Eberhard** stated that it was probably about one half mile from the corner to where the pavement would start again. With the amount of traffic that would be generated by this subdivision would the County want to have this portion of road paved as there could be as many as 500 cars (once all of the fifty-seven lots are completed) traveling this portion in any given day. **Commissioner Tea** went on to state that it should probably not be the responsibility of the developer to pave this additional half-mile. Mr. Day said that perhaps a traffic impact fee study would need to be conducted, and as each phase of the development went in, the owners of the lots could pay into a traffic fund that would help (in the cost) of paving this [one-half mile] portion of road. More discussion would need to take place concerning this issue. **Commissioner Eberhard** said that this road will most likely become a major collector road with more development occurring; the road runs from the north end of Bothwell to the state highway.

MOTION: A motion was made by **Commissioner Thompson** to grant **conceptual** approval for the Scenic Development Fifty-seven Lot Subdivision (all of the above mentioned concerns will need to be addressed by the developer). The motion was seconded by **Commission Eberhard** and passed unanimously.

Each of the Commissioners received a "West Corinne Community Plan Background Report" which had been prepared by Pat Comarell. Ms. Comarell led a discussion regarding the community plan and zoning projects being proposed for the area. For approximately the past year Mr. Comarell has met with the Planning Commissioners on this issue and along with discussing zoning in the West Corinne area, it was felt that a community plan would also be needed. (A similar issue has come up in the South Willard area of the County that will be looked at later). The "Background" report will also be available for the residents of the area where the zoning will be taking place. Ms. Comarell told the Commissioners that this report will give the citizens information, but it will also provide backup for the Commissioners in the event that (sometime in the future) a lawsuit might occur. This report would provide the courts with the evidence that the decisions were made reasonably rather than arbitrarily. Ms. Comarell and Mr. Day then went over the maps that had been prepared showing the existing zoning in the Corinne area and the proposed zoning for the area. After some discussion, the Commissioner were then asked when they would like to have a town meeting take place which would be the start of this process. **Commissioner Davis** suggested that perhaps some sort of time-line would be good so that the citizens would know what to expect at different times during the process. It will probably take about two months for the first of the town meetings to be held in order for all the necessary materials and notices to be send out. More discussion on these issues continued before the meeting was adjourned. (A copy of the initial "Background" report is available in the Planning Office for review).

After discussion the items that were on the agenda for this meeting, Mr. Day brought an item to the attention to the Planning Commissioners that he had received in the mail earlier in the day from an attorney for a landowner in the City of Pleasant View. It was addressed to the Chairman of the Planning Commission and dealt with the proposed annexation petition requesting that a portion of South Willard area be annexed into Pleasant View City (Weber County). There are approximately 200 hundred acres that are being petitioned by Randy Marriott Construction Company to be annexed into Pleasant View City. If this should happen, the result would be property in Box Elder County that would be part of a Weber County municipality [that would present some problems]. Mr. Day continued by saying that he wanted to bring this item to the attention of the Planning Commission although there is really no action required. The issue is still being looked at with the County Commission to determine what kind of a response to issue regarding this petition, if any.

A motion was made to adjourn the meeting at 9:11 p.m. by Commissioner Davis; all concurred.

Passed and adopted in regular session this 20th day of February 2003.


Richard Kimber, Chairman
Box Elder County
Planning Commission