

**HONEYVILLE CITY
PLANNING COMMISSION MEETING
NOTICE AND AGENDA**

Notice is hereby given that the **regular meeting** of the **Honeyville City Planning Commission** will be held on **Wednesday, 24 February, 2016 at 7:00 p.m.**, in the Honeyville City Hall, 2635 West 6980 North Honeyville, UT 84314. Interested citizens are invited to attend.

Meeting called to order – Steve Bullock

Invocation – Bob Kosbab

Note of conflict of interest if any

Zoning Administrator Report

Business:

- A. Sid Keller - Windy Poplars Subdivision Preliminary Plan

Approval of previous minutes – Minutes of December 16, 2015, December 22, 2015 and January 27, 2016

Agenda items for next month

Adjournment

Minutes of the
Planning Commission Meeting
December 16, 2015

The Honeyville City **Planning Commission** met in **regular session** on **16 December, 2015** at 7:00 p.m. in the Honeyville City Hall. Present were Ronda Bingham, Bob Kosbab, Steven Bullock and Mary Bingham. Keith Dunham, Layne Huff and Jeremy Call were excused.

Meeting called to order by Steven Bullock at 7:00 p.m.

Invocation – Steve Bullock

Note of conflict of interest if any – Mary Bingham and Ronda Bingham noted that they live near the property that will be reviewed and discussed in regards to the proposed rezone request and public hearing. Mary Bingham clarified she does not have a conflict of interest she just recommends the zoning and she lives on the same street.

Zoning Administrator Report – Report was discussed and reviewed.

Public Hearing - Rezone property from agriculture to industrial (Tom Nagao Property) - Ronda Bingham made a motion to open public hearing, Bob Kosbab second the motion. Motion passed 4 - 0. Public hearing opened at 7:10 p.m.

Rodney Bennett stated this property surrounds his property on the side and back of his property. He stated that there are a couple of things he wanted to bring attention to today. One thing is that there are people that have spent their whole lives building their whole livelihoods with what they are doing out in that area. Now there are a couple of people that want to come in and make money and not live in the community. They want to come out and make money and go back to their big houses in the city and leave us with the aftermath of what is happening. He thinks that before anything is done this had better be looked at really closely.

Mr. Bennett stated his other concerns is the property values that changes on their property. It takes his property and quality of life as residential living and agriculture living and negotiates what has been worked out there for twenty-five plus years. Mr. Bennett stated that after attending the meeting last month where Honeyville Zoning was talked about and it was stated that the General Plan is just an idea and it really doesn't matter. Mr. Bennett hopes the commission has spent as much time as he has looking into zoning and planning issues. The General Plan is not regulatory and it doesn't bind their hands and they don't have to go through the court to change it. There has been a lot of hours and a lot of people that have put a lot of time into a General Plan to decide how this city goes. For a board of four people and to look at this and to not say that this is just a suggestion is ridiculous. Mr. Bennett stated he is not real happy about it. Mr. Bennett has talked to planning and zoning administrators and county as well as other places and they all have said that you have to have a very good reason to not go with the General Plan. That's why people were put in charge of doing it for many years and he hopes the commission will take this into consideration.

Mr. Bennett brought up another problem which is the high water table out there and some of the things he is going to talk about right now are not if's but when's. He stated there are going to be problems with water out there and they have taken care of most of the water problems that they have had. Mr. Bennett stated he has put in drains and have taken care of things and Bingham's have put in drains up higher which has taken a lot of that surface water over. Mr. Bennett stated that if

the Planning Commission makes a decision to change the zoning they are also saying that the commission realizes that there is liability on the city for any water damage that comes to any of the landowners around there due to the new zoning.

Mr. Bennett said even more importantly than that, and he does hope that the commission members have all driven out there, because tonight he drove past a car going the other way and they can barely fit and it's an accident waiting to happen. The road is not suitable for any type of industrial use. And he tells the commission again that if an accident happens because we allow too many outfits on there, and Mr. Bennett says that it's not only for this industrial zoning but for anymore residential zoning that goes out there. This is why he asked if this meeting was going to be recorded because when the lawsuit comes it is going to be known that the commission has a knowledge that these city streets were not up to the standards that need to be to have that kind of traffic on them. Mr. Bennett stated that if the commission hasn't driven on them they need to go out and drive and see this road. If the city wants to put the infrastructure in to make this happen then this argument obviously goes away. In twenty-five years the city hasn't want to put a penny into the road out there and they have done very little to fix that and he doesn't see that they will put the hundreds of thousands of dollars of infrastructure to widen that road to make it safe for the people that are traveling along that road.

He wants the Planning Commission to take this into mind because if it comes out as a vote to rezone this it's also saying that the city is aware of problems and liabilities that come with this.

William Wintle stated that he and a family member owns property near this property being discussed. Mr. Wintle stated that some of his property in this area is zoned agriculture and some is zoned commercial. He has had different proposals for the commercial property such as a 7-11. The other piece of property is owned by his uncle and it is used for agriculture. Mr. Wintle stated his uncle likes to farm crops such as pumpkins, onions and beans and similar items. His concerns are where he is from Layton he sees different things such as tires burning and cement plants and he wants to be assured that there isn't going to be anything poisonous coming from some kind of plant and hurting the crops where the property is so close. The crops he plants are very delicate and could be ruined by a industrial business nearby. Mr. Wintle says they have it both ways with agriculture across the street where they don't want any problems and further south with the property near the freeway exit where a proposed service station could go and he does not want that option ruined by having a stinky business further up the road. There are places such as in Salt Lake where they say something is fine and then there are all kinds of lawsuits because it is hurting peoples lungs from the smoke or something.

This proposed business may not be that big such as light manufacturing and if that is the case they could just zone it commercial and put a lot of things there. If they want to go industrial and it will be a big company that will come in and we may not know what they will want to do. Mr. Wintle stated that Honeyville looks real good going along I-15 there is a nice town and nice mountains and where this property is just off of I-15 we want to make sure it gets finished and we don't want a bunch of stuff dumped there like machinery and pretty soon it looks like a Smith and Edwards and they may not keep it looking nice. We need to make sure there are rules in place when they start. We need to know exactly what it's going to be and that they finish it up and clean it up so it doesn't look bad from I-15.

Mr. Wintle stated that he will be watching this to see what type of business wants to come in that could be a problem for either of the property's in regards to crops or a proposed commercial

business. Mr. Wintle agrees that the General Plan should be looked at. Layton has a plan where Layton has designated a spot for an industrial park where anything industrial should be there and nowhere else. Honeyville should not only have a master plan but we need to pick an area of certain types of stuff such as poisonous or dirty things go in that industrial park and not be allowed nowhere else.

Boyd Bingham stated he owns property right next door to this and he has a couple of things to bring up. His first concern is that when a zone change is being addressed he wonders how this will improve the community and the rural atmosphere. Mr. Bingham stated that the ordinances say that the city is supposed to protect agriculture. The city already has an industrial park on the other side of the freeway. He has heard people say this is adjacent and it is not adjacent because the freeway cuts in between the two with different access points for getting in so he does not how it can be considered adjacent. Mr. Bingham stated that if they zoned this 42 acres, he said he does not how big the current industrial park is but he knows that is not near that big. He said someone mentioned a 70 truck trucking firm coming into this property and they want to rezone that property. Mr. Bingham said on that five acres you could put 100 trucks, plus a shop and parking for the employees and then what would they do with the other 37 acres.

Once this is rezoned to industrial the whole nature of the community is changed and once it is zoned that way they can't change it. Once it is zoned industrial than any industry can come in that is allowed in the zone and they can build their facilities and run their business that's allowed in the ordinances.

The other concern is the road and there is only one loop around and that loop comes along the freeway goes north and cuts back over to Highway 38. That's agriculture country out there and if you're out there anytime during the summer time you will see tractors that have implements on them that are 20 feet wide. The road is barely a 24 foot wide and this road is their only option and the other option is Highway 38. That is not a very safe place for 20 foot rigs but it does happen on occasion. It would be great if Honeyville City would spend a million dollars to widen the road but there is a problem with that. The problem is Rocky Mountain Power and they put power poles right in the easement right of way. So if the road is widened the big power poles are going to have to be dealt with as well as the secondary power lines that are right next to the road. This is going to be a challenging thing that City will have to do.

Driving cars on the road was brought up by Rod Bennett. Mr. Bingham said he drove a 10-wheeler truck down the road and a car came by and they can't hardly pass. You got to slow down particularly on the corner. When you meet on the corner one of the cars is going to take the borrow pit, that is just the way it is.

Mr. Bingham stated that in the current Industrial park there is land available for sale and there is more than five acres of land there now. Mr. Bingham's question is what is the purpose of doing this and how is this going to help our community. Mr. Bingham stated that it is going to affect the agriculture people out there and the Planning Commission has the responsibility to protect them because that is what the ordinances say.

Jerry Douglas stated he lives directly across the street from this property and he sees no advantage to the city or the residents that live by there for this. If it is advantageous to Tom why didn't he do this when he was a resident here and why didn't the city do this when he was a resident here. It's

absolutely simply for money and he agrees with the rest them and feels the city needs to look after the residents. This does no one any good so why do it. It does not make any sense.

Tyrell Bennett stated he lives just on the north end of this property. He said currently looking at the zoning in Honeyville City there is industrial zones already zoned and commercial zones. He sees there is no reason to rezone as long as those zones are no longer usable. There is land available in the industrial zone for sale and there really is no need to rezone another area, just so someone else can make more money and cause problems for the agriculture sector.

Ronda Bingham stated she delivers mail out in the Elwood area and she sees the unintentional consequences of Wal-Mart and Proctor and Gamble. When they put these facilities in the trucks were supposed to go to Corrine and use the freeway. The trucks do not do this, a lot of them take the road through Bear River City and Elwood. There is a semi going through there every 30 minutes and the citizens of Bear River and Elwood are not happy about that. This is an unintentional consequence of these big companies being put in. They follow the path of least resistance.

This piece of property having 43 acres is supposed to be right off the freeway and it's not; it's a mile off the freeway. It is right at the beginning of where we live and it is zoned agriculture and most of them out there have moved out there with the intention of raising live stock, animals, crops, kids and gardens and they love it out there. They love the atmosphere there that they have and the compatibility of the overall character of the existing development. Mrs. Bingham says they all have reasonable expectations that this area should stay like that Mrs. Bingham thinks that an industrial park because it not just a parcel of ground, it is an industrial park it would change the whole flavor, the whole flavor of the whole street and all of them that live there. The flow of the traffic would go up that road onto Highway 38. She sees it every day and those people that live in those communities never anticipated that. She feels strongly that the industrial park that Honeyville City has set up is across the freeway and not on this side and the piece of property right across the street; what's saying if we changed this zone that Honeyville Grain doesn't come over and say we want our property rezoned. Mrs. Bingham feels that it would be a mistake.

Steve Bullock made a motion to close public hearing, Bob Kosbab second the motion. Motion passed 4 - 0. Public hearing closed at 7:30 p.m.

Business:

- A. **Micah Capener - Rezone Request - 7400 North 3600 West** - Planning Commission reviewed the approval standards in the city code as well as the General Plan. There is only one way in and one way out. This is a rezone request and there hasn't been a specific business that has been proposed. Looking at the industrial zoning there is a variety of types of uses that can occur within an industrial zone. The land use chart was reviewed and discussed and most uses are conditional uses which gives the Planning Commission and City Council a opportunity to place restrictions on development and uses allowed.

Steve Bullock reviewed and discussed some of the elements within the General Plan which are compatibility and safety through planning, planning for commercial uses should be given equal consideration as planning for residential uses, transportation is a major issue of the plan in regards to parks and recreation as well as developments. The road being discussed tonight is considered to be more of a local road which is defined by the usual local traffic with only one or two lanes with not much traffic.

The General Plan also has an economic development goal which addresses promoting growth with balance to provide employment opportunities and to increase the tax base of the city to improve the quality of life fitting within the framework of the community. The General Plan also addresses promoting business expansions for employment opportunities for local citizens. Mr. Bullock wonders about what the perception people have of Honeyville as they are driving along I-15 or coming into any of the main three entrances into the city center. The General Plan addresses maintaining a nice view shed. The General Plan calls for a wide range of things such as economic development, protection of agriculture resources, view sheds among other things. These things are things that the Planning Commission will consider tonight.

Mary Bingham reviewed some items from the General Plan such as separating the neighborhoods from local street traffic. The area is zoned agriculture and there is residential in the area as well. To have jobs in the area there is only one road to access and this would bring in non local traffic, which is what the General Plan suggests avoiding. The General Plan also states the safety of the community needs to be looked at. Having trucks traveling on that road are a safety concern. Encouraging industry development and industrial parks is also noted in the General Plan and Honeyville City currently has an industrial park with lots available for purchase.

Properties which face each other across the local streets should be in the same or similar zone. There should be separation from urban and rural land uses.

Bob Kosbab feels the road safety and the view of Honeyville are his concerns.

Ronda Bingham feels this should not be done in this area where it is more of a residential and agriculture zone and the compatibility of the overall character of the existing development changes. Septic systems, hours of operations and lighting as well as property values in that area are also concerns. It will drop the property values of the residents currently there. Safety is a concern with the road not being wide or up to standards.

The General Plan also stated that planning is preferred rather than acting on planning requests. Money should not be a factor when Planning Commission is making a decision.

Steve Bullock reviewed the approval standards and balancing of private property rights of an individual with the compatibility of the public interest. The General Plan addresses protection of agriculture as well as economic development in the city. The decision to rezone this property needs to be based on the consistency with the goals and objectives of the policies of the City's the General Plan. There are some industrial uses and economic development within the plan and balancing this with compatibility of other uses. This property is in agriculture area and considering it is right by the freeway as well as under a major power line easement. This is compatible with agriculture and commercial uses more than residential uses. Water table and the safety of the road and adequacy of utilities to serve the property.

Planning Commission's responsibility is to make a recommendation to City Council

Ronda Bingham made a motion to deny the rezone application, Bob Kosbab second the motion. Motion passed 4 - 0.

- B. Adam Gardiner - Call's Fort Phase 2 Final Plan** - Adam Gardiner is requesting approval for Call's Fort Phase 2 Final Plan. The subdivision plan meets all the regulations and requirements and is compliant. Planning Commission reviewed this plan and recommends it go to City Council for final approval. Steve Bullock made a motion to approve Call's Fort Phase 2 subdivision, Mary Bingham second the motion. Motion passed 4 - 0.
- C. Frank May SkiDoo - Site Plan** - Honeyville City plans to widen the road from the intersection from 6900 North and 3600 West. The drainage plan is also developed to help prevent water from draining onto the property owner to the north. Water pressure has been tested and is not a problem for this business where they will be required to have an indoor sprinkler system installed. Lighting and signage will be part of the building permit application and will need to conform with regulations before the building permit is issued. This plan conforms to the city code requirements and Chris Wight suggests it be approved. It is recommended to go to City Council for approval. Bob Kosbab made a motion to approve Frank May SkiDoo Site Plan with the conditions that signage and lighting will be addressed when a building permit is issued, Steve Bullock second the motion. Motion passed 4 - 0.
- D. Lot Line Amendment** - This item was not discussed.
- E. Brent Bailey - Conditional Use Permit to Operate a Gravel Pit** - Brent Bailey submitted a written response to the overview plan of how he plans to operate the gravel pit. Research was done on the previous gravel pit conditional use and there was nothing in the file with how Kelly Walker had complied with the gravel pit ordinance. Emily Ketsdever stated she had a meeting with Mr. Bailey and Mayor Forsgren regarding the gravel pit and the gravel pit ordinance. Some items in the ordinance do not apply to Mr. Bailey.

The ordinance does call for a surety bond for guaranteeing restoration after the gravel pit is completed from operating. A line of credit could be something that Mr. Bailey has talked about looking in to. Mr. Bailey wants to comply with the gravel pit ordinance, but wants to comply just the same as the other gravel pits are required to do so. A excavation plan and permit would need to be issued and this will be part of the conditional use permit. The ordinance also requires existing gravel pits to become compliant within ninety days of the date of the ordinance. There are some items in the gravel pit ordinance that don't apply to Mr. Bailey's operation and his letter addresses the items that are applicable. Mr. Bailey currently complies with the hours of operations and he manages his trucks as they are driving through town.

Planning Commission reviewed and discussed the conditional use permit regulations. This gravel pit is already an existing permitted use and should comply with the gravel pit ordinance. The ordinance does cover transferring of ownership which this may fall under. Mr. Bailey wants to be treated the same as the other gravel pits operating. Planning Commission reviewed and discussed this and feel that a conditional use permit should be issued requesting that Mr. Bailey return in ninety days showing how he is compliant with the applicable items within the gravel pit. It is suggested that Mr. Bailey contact Chris Wight, City Engineer to see if he can be of assistance with some of the compliance items.

Steven Bullock made a motion to approve the conditional use permit of the Brent Bailey property for the gravel pit and that he will be compliant with the existing operating ordinance within the ninety days for existing excavation operations and within one year with any additional operations that might be planned, Bob Kosbab second the motion. Motion passed 4 - 0.

Bob Kosbab was excused at this time leaving the Planning Commission without a full quorum and the meeting needed to be closed at this point.

F. Sid Keller - Subdivision Concept Plan - This item will be discussed at a special meeting next week and if a meeting cannot be scheduled it will be on next month's regular agenda.

G. 2016 Meeting Schedule and Opening Ceremonies - This item will be discussed next month.

Approval of previous minutes – November 18, 2015 – This item will be discussed next month.

Agenda items for next month

- Sid Keller - Concept Subdivision Plan
- 2016 Meeting Schedule

Ronda Bingham made a motion to adjourn, Mary Bingham second the motion. Motion passed 3 - 0.

Adjournment at 8:42 p.m.

The foregoing minutes were taken and typed by Emily Ketsdever.

Date Approved _____

Emily Ketsdever, Zoning Administrator

Steven Bullock, Chairman

Minutes of the
Planning Commission Meeting
December 22, 2015

The Honeyville City **Planning Commission** met in a **special meeting** on **22 December, 2015** at 7:00 p.m. in the Honeyville City Hall. Present were Bob Kosbab, Keith Dunham, Steven Bullock, Layne Huff, Mary Bingham and Jeremy Call. Ronda Bingham was excused.

Meeting called to order by Steven Bullock at 7:00 p.m.

Invocation – Steve Bullock

Note of conflict of interest if any – Mary Bingham noted that she lives near the property that will be reviewed and discussed in regards to Sid Keller Concept Plan, item A below.

Business:

- A. Sid Keller - Subdivision Concept Plan** - Sid Keller is here requesting approval of Windy Poplars Subdivision Concept Plan. Planning Commission reviewed and discussed this concept plan. Chris Wight, City Engineer has reviewed this plan and issued comments for review. This property is in the A-20 Zone where the lots may vary in sizes. The road through the subdivision dead ends at the property line where private property begins and the city's master plan shows a future proposed developed road if that property is ever developed. Chris Wight's comments include the installation of a gate at the end of the road preventing anyone from accessing property to the north or the subdivision. This is also for protection of the private property. The Bingham's would prefer a fence without a gate. The adjoining property to the north, Earl L. Bingham Ranch is in an agriculture protection zone and it needs to be noted on plan as such as well as having a statement on the plat per the Utah State Code. It was noted that Mt. View Dairy shows on the plat of being in an agriculture zone and they are not and this will need to be corrected and taken off the plat. The road through the subdivision was discussed regarding the length of it as well as it not having an emergency access where it has a temporary turn around. This road is considered a stub street with the temporary turn around for emergency vehicles to utilize when necessary. There was talk about a thirty-three foot right-of-way that is on the Bingham's property that could be used as an emergency access if necessary. This right-of-way should only be for the Bingham's and the Bear River Canal Company to use. There currently is not a road there right now. It was decided that this right-of-way discussion has nothing to do with the Windy Poplars Subdivision. Emergency outlet is the concern with the discussion. It was noted that there are currently a number of flaglots and other dead end roads throughout town that are in the same situation as this road. Planning Commission reviewed and discussed the regulations for concept plan approval. It was noted the arrow pointing north is actually not pointing north on the plat map. It was noted the master road plan is a future plan for future development; it does not mean a developer has to follow that plan. There are stub streets like this road through town and they are also noted on the master road plan. Steven Bullock made a motion to accept Windy Poplars Subdivision Concept Plan with the condition of the gate being installed with signs and agriculture protection notes being added to the plat and that any redline concepts on existing concept plan, Jeremy Call second the motion. Motion passed 5 - 1.

B. Lot Line Amendment - Frank May SkiDoo Plan - This item was discussed last month and was approved although there was not a motion on the item. Layne Huff made a motion to approve lot line amendment for Frank May SkiDoo site plan, Bob Kosbab second the motion. Motion passed 6 - 0.

C. Boyd Bingham - Land Use Discussion - Nothing to discuss, Boyd Bingham was not in attendance.

D. 2016 Meeting Schedule and Opening Ceremonies - 2016 meeting schedule and opening ceremonies was reviewed and discussed. December date will be changed to December 21, 2016. Bob Kosbab made a motion to approve the 2016 Meeting Schedule and Opening Ceremonies with the correction, Keith Dunham second the motion. Motion passed 6 - 0.

Approval of previous minutes – November 18, 2015 – November 18, 2015 were reviewed and discussed. Layne Huff made a motion to approve minutes from November 18, 2015, Mary Bingham second the motion. Motion passed 6 - 0.

Agenda items for next month

- Sid Keller - Subdivision Preliminary Plan

Layne Huff made a motion to adjourn, Steven Bullock second the motion. Motion passed 6 - 0.

Adjournment at 8:08 p.m.

The foregoing minutes were taken and typed by Emily Ketsdever.

Date Approved _____

Emily Ketsdever, Zoning Administrator

Steven Bullock, Chairman

Minutes of the
Planning Commission Meeting
January 27, 2016

The Honeyville City **Planning Commission** met in **regular session** on **27 January, 2016** at 7:00 p.m. in the Honeyville City Hall. Present were Ronda Bingham, Bob Kosbab, Keith Dunham, Steven Bullock, Layne Huff, Jeanne Cutler and Angela Millsap. Jeremy Call was excused.

Meeting called to order by Steven Bullock at 7:00 p.m.

Invocation – Ronda Bingham

Oath of Office - Emily Ketsdever, City Recorder administered the oath of office to newly appointed Planning Commission members, Angela Millsap and Jeanne Cutler. They are replacing and completing the terms of Mary Bingham and Layne Huff.

Note of conflict of interest if any – None.

Zoning Administrator Report – Report was discussed and reviewed.

Business:

- A. Sid Keller - Windy Poplars Subdivision, Preliminary Plan** - Planning Commission reviewed and discussed Windy Poplars Subdivision Preliminary Plan. Chris Wight, City Engineer has reviewed this plan and has issued comments in regards to items needing to be addressed before the plan could be approved. There is a clause per the state code that requires verbiage to be on the plan in regards to agriculture protection zones. Sid Keller is aware of the verbiage necessary and will work on all the items needing to be addressed and will present the preliminary plan next month.
- B. Mary Bingham - Discuss Removing Right-of-way on Subdivision Plat** - Mary Bingham stated she would like to know why there is a right-of-way noted on the Bingham property on the Windy Poplars Subdivision plan and if there really is a right-of-way on the property. Mrs. Bingham presented documents from Box Elder County and a title company and reviewed them with Planning Commission. There is one right-of-way through the center of the property by the canal and this is for the Bear River Canal Company. The documents show there is not a right-of-way in that area on the south of the property. Mary Bingham is requesting that the right-of-way be taken off the subdivision plat before it is approved and with doing this it needs to be determined if there is a right-of-way easement there or not.

The Planning Commission has reviewed a concept plan for a subdivision which dead ends to the Bingham's property and it has been noted that a gate will be in place there to prevent public access beyond the road. This right-of-way should not be on the recorded Windy Poplars Subdivision plat. The subdivision is not altered at all by not having the right-of-way on the plat. The Planning Commission suggest the City Attorney review this item determining if this is a legal right-of-way or not. The Planning Commission recognizes the dispute and that the right-of-way possibly should not be on the plat. The engineer's are looking into this item as well and the City Attorney will also be asked to review it.

Approval of previous minutes – December 16, 2015 and December 22, 2015 – December 16, 2015 and December 22, 2015 are not ready to be approved at this time and will be on next month's agenda.

Agenda items for next month

- Sid Keller - Windy Poplars Subdivision Preliminary Plan

Keith Dunham made a motion to adjourn, Ronda Bingham second the motion. Motion passed 7 - 0.

Adjournment at 7:34 p.m.

The foregoing minutes were taken and typed by Emily Ketsdever.

Date Approved _____

Emily Ketsdever, Zoning Administrator

Steven Bullock, Chairman

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