Davis County Planning Commission Meeting

61 South Main Street, Davis County Administration Building, Room 101 Farmington, UT 84025
July 29, 2019 at 7:00 p.m.

Members present:

Ali Avery
Tim Grubb
Larry Davis
Lowell Mielke

Members excused:

Russell Lindberg

Staff present:

Jeff Oyler
Debbie Sherman

Others present:

Blake Hazen 2084 E 75 S Layton
Eric Hazen 1344 W 2050 S Syracuse
Shawn P Bailey 399 N Main Suite 300 Logan
Linda Housley 5389 W 2425 N Hooper
Rich Welling 773 E 2075 S Bountiful
Rusty & Diane Tubb 5156 W 1925 N Hooper
Dean & Ronda Edwards 820 E Center Bountiful
Sheila Stark 783 E 2625 N Layton
Kevin & Cheri Hovell 4051 W 3425 N Hooper
Preston Cox 257 S 3200 W Layton
Mabel Moss 2337 S 150 W Clearfield
Miguel Sanchez 494 N 700 W
Mila Gailey 333 S 1000 W Syracuse
Noah Steele 2051 S 18410 W Syracuse
Paul Parker 624 W 1000 N Clinton
Hank Guyman 1734 N Broadway Tooele
Randy Elliott 732 S 400 E Farmington
Jared Hancock 5262 W 2425 N Hooper
Terry Price 143 S 1800 W Woods Cross

Beverly Parker Bailey 179 E Peach Tree Dr Centerville
Kurt & Marsha Fowler 2411 N 5500 W Hooper
Garry Jenkins 3071 W Grant Ave
Sherry Vanderwood 5253 W 2425 N Hooper
Alan Parker 2313 W 1300 N Clinton
Dale Parker 3240 W 800 N West Point
Hiro Yamashita 2435 N 5000 W Hooper
Marlon Berrett 1304 N Hwy 89 Kaysville
Dixie Bunot 6120 W 2425 N Hooper
Lee Brown 2646 N 6000 W Hooper
Vaughn Covington 6641 S 2275 E
Regina & Ken Samuelson 318 E 1825 N Centerville
Ken & Sheila Stettler 1302 N Hwy 89 Kaysville
Lorene Kamalu 1177 S 800 E Kaysville

1. Welcome & Introductions

Tim Grubb

Tim called the meeting to order and declared a quorum present.
[NOTE this is a public meeting so it is being recorded. The recording will be posted online at the state meeting's website.]

Pledge of Allegiance: Larry Davis
Declaration of Conflict of Interest – none declared.

2. Approval of minutes of May 5, 2019

Larry Davis made a motion to approve the minutes of May 5th, 2019, Ali Avery seconded the motion. The motion passed. Tim Grubb abstained because he was not at the meeting.

3. Public Hearing

Lowell Mielke made a motion to open the public meeting. Ali Seconded, the motion passed.

Jeff gave a PowerPoint presentation.

Jeff presented the development problem the county is dealing with. Six months ago, a moratorium was implemented to consider current zoning provisions. For the last six months we

have been analyzing and discussing options with staff and other cities in the county. Jeff stated that the purpose of this land use ordinance amendment is to: promote Davis County's general plan; provide for the health safety and welfare of the residents and inhabitants of Davis County; improve the morals, peace, good order, comfort, and convenience, of Davis County's residents. Davis County has had this version of the general plan in effect since 2006. In that plan it states, "Davis County supports a policy of contiguous cities within the developable lands where all development occurs within municipalities. The County recognizes that the main purpose of municipalities is to provide services and to give people a voice in local affairs. Allowing development to occur in unincorporated areas of the County defeats both of these purposes and is not in the interest of current or future citizens."
Davis County as an entity does not own utilities. We do not own a fire department all of our fire services are provided through contracts. As development continues, the pressure to provide utilities increases and that is a real challenge for the county. In the General Plan, The County Commission has taken the position that the county should not provide new urban services in the unincorporated areas. The proposed amendment would promote Davis County's general plan and bring us more into alignment with what the general plan says. It would encourage development to occur within municipalities located within Davis County which provide those utility services the county doesn't have. We would like to encourage annexation and development to occur within city boundaries where it is much better suited to provide those services. Most cities agree that when development happens that's where it should occur. This effort is to reduce Davis County's further involvement into development. We are recommending that most of the county takes on a new zoning of 10-acre parcels. The staff is proposing to eliminate all of the A-1 and A-5 zoning in the county. We would also eliminate all of the A-E zoning, with the exception of the Mutton Hollow Township. We would not impact or change anything that is in the Mutton Hollow Township. We would create a new A-10 zone which has a maximum of 1 home per ten acres. We are rezoning all the A-E, A-1, and A-5 into A-10. It will not change any vested, existing or new subdivisions. It only affects future development.

Tim asked Jeff to explain what the situation is with septic systems in the county right now and in the future.
Jeff said there are many homes in the unincorporated county that have septic systems because they cannot be served by gravity sewer. Gravity sewer is not available or it is not possible to get it there. It's not a matter of running the lines out there it just won't flow. Those areas are also areas where groundwater is very high. The health department would like to get a better handle on the impact that septic systems have on not just the groundwater but the environment. They want to do some analysis and study the impact further.

Tim asked Jeff about the fire department situation in the county.
Davis County has contracts with five different fire departments that provide service to the unincorporated county. Where development has direct access to water, the water flow is pretty good. Where there are private water systems, the systems are old and do not meet current fire flow standards. These are health safety and welfare issues. There just is not adequate water pressure to put out a fire.

Tim turned the time over to the public for their comments.

4. Public comment

Shawn Bailey- attorney for Parker Farms 40 acres. 1) Clients oppose the proposed amendment. They are zoned A-E which means they could currently have 8o units and with the proposed change they could have four units which will destroy the value of their property. 2) They believe that if you maintain your septic system they work great. 3) Annexation is not an option for them, they are not close enough to the city to annex.

Ken Stettler- wants to maintain a rural atmosphere. City requirements for curb gutter and sidewalk is very expensive. Wants to allow son to build on some of his property and the new amendment will not allow that. Look at having some variance possibilities for others like him to allow for families to build on family owned property.

Kevin Howell- wanted to have his three children build on their property this will stop that. They have a worthless 9-acre piece of property. Concerned about the 300-foot frontage.

Marsha Fowers- concerned about how they are assessed property taxes.

Dianne Tubbs- also concerned about how their property taxes are assessed.

Paul Parker- 10-acres is not enough to farm hard to maintain for the average property owner with a house on the front ¼ acre and pasture in the back.

Sherry Vanderwood- hard to keep her farm going after her husband died. She doesn't have 10 acres this would leave her with not enough property to sell. They bought this land as an investment and now don't have anything.

Rob Vanderwood – see attached letter.

Dale Parker- Doesn't want to be told what he can do with his property that they have owned for decades.

Marlon Barrett- attempted to annex years ago and was declined. Has worked with the county for future development of their property bringing in their own water and roads. They would like to have the option to allow their children to be able to build on their family property they have developed for such a purpose.

Jared Hancock- just built a home in Hooper. Was hoping their children would be able to build on the family lots next to their house. This is a devaluation of property. Nobody will buy five or eight acres because it is worthless you cannot build anything on it. Agree with the fire flow

issues. Hooper does charge an impact fee which should cover the cost to improve the water system. The county could charge impact fees to cover some of these improvements. Ten acres seems to egregious on the county's part to go from one to ten-acre lots.

Blake Hazen- 10,000 square foot lots to ten acre lots seems like a taking. Has there been any just compensation to those owners? How do they allow hospitals and care centers on county property if septic systems are such a concern? Why is Mutton Hollow exempt?

Dixie Bunought- concerned about the property value and emotional value because this is no longer an investment for her retirement.

Noah Steele- employee for Syracuse city. He has seen six annexation applications to the city, five have been approved one is still pending because of some wetlands concerns they are working through. He has seen the majority of annexation go through.

Larry Davis made a motion to close the public hearing, Lowell Mielke seconded the motion, the motion passed unanimously.

4. Discuss/Approve/Deny modifications to Section 15.20.809A Part B. A-1 Limited Agriculture.

Tim thanked the public for their comments and explained that the commission would discuss the items that they heard today and they have a couple of options, they can make tonight. They can send out a recommendation of approval, they can make a recommendation of denial of the proposal or they can table the issue at hand for further discussion.

There was a discussion about the comments and issues that were asked tonight.

Ali made a motion to recommend approval of modifications to section 15.20.809A part B to the County Commission with the following changes:

Under conditional uses the removal of letter g) hospitals, letter k) public assembly places, letter m) sports assembly places, and letter r) chinchilla keeping in unlimited numbers. I also recommend the change under 15.20.850 lot building standards the minimum lot building width should be 100 feet. Lowell seconded, the motion passed.

Lowell moved that we recommend deletion of section 15.20.909A part C, the A5 zoning agricultural and farming industry for the County. Ali seconded, the motion passed.

Ali move that we recommend approval to the County Commission to rezone all the A1, AE, A5, zoned properties to A10 excepting the Mutton Hollow Township with the following conditions:

1) County staff work with surrounding cities to insure all cities are within an annexation plan.

2) County staff should draft an exceptions ordinance related to this rezone, which includes improving utilities.

3) The density should be reanalyzed at the completion of the Health Department's septic tank study.

4) All parcels within agricultural protection areas, the county should receive written approval from all land owners before rezoning. If not then they will not be rezoned.

Lowell seconded the motion, the motion passed.

5. New and Pending Business

None

Lowell Mielke made a motion to adjourn. Larry Davis seconded the motion. The motion passed unanimously.

NEXT MEETING is scheduled for September 5th, 2019 at 6:00 p.m.