500 E Main St. Duchesne, Utah 84021
PO Box 974, Duchesne, Utah 84021
phone (435) 738-2464
fax (435)738-5394
duchesne@ubtanet.com

PLANNING AND ZONING MEETING MINUTES

Opened meeting at 6:08 pm, October 19, 2020

Commission Attendees: Deb Herron, Lynn Hamilton, Cody Ivie
Guest Attendees: Bob and Karri Hoopes, CoraLee Sanchez, Mayor Rodney Rowley, David Herron

Agenda Items:

1. Roll Call, Prayer, Pledge, Minutes
    a. Prayer was offered by Cody Ivie
    b. Minutes from September 28, 2020 were approved by unanimous vote.
2. Public Hearing - Travis Peterson Street Vacation
    a. The hearing was opened at 6:10 pm.
    b. Deb projected the proposed street vacation map on the screen for everyone to see and introduced the topic to the Commissioners and public. Travis Peterson asked Mayor Rodney Rowley to represent him at this meeting. Deb Herron invited Mayor Rowley to give some background information about the street vacation. He explained that the City made a decision to vacate Travis's street and create a cul-de-sac at the top of the hill and at the bottom of the hill along 400 N during the last street paving project but the City never followed through with that plan. The block where Jerry Argyle lives was vacated down to 50 ft wide in the 1970's and it was intended to continue to vacate 400 N down to 50 ft wide all the way past Travis Peterson's house and down the hill to 300 E. Mayor Rowley also said it was the intent of the City to vacate 400 E from 300 N to 500 N. He clarified that all of this property would not be deeded to Travis Peterson. He was simply the applicant who proposed the street vacation. Each landowner adjacent to the street would be deeded the property from the vacated portion of the street to their own property line.
    c. Cody Ivie asked how this street vacation would affect a future trail coming off of the bench down into town. Deb explained that the Hillside Ave trail proposal is just north of the proposed street vacation. Lynn Hamilton clarified that all of the easements would remain in force on the property. Cody emphasized that once the property is vacated the City cannot get that land back.
    d. The audience was invited to comment on the proposal. CoraLee Sanchez asked how the city would maintain access to certain lots if this proposal went through. There are several lots which would be landlocked if this vacation goes through.
    e. Karri Hoopes expressed several concerns she has with this street vacation. The proposed cul-de-sacs would be too small for parking on the street and could create real issues in the future. Never is a long time and no one knows what the future may bring. In Salt Lake City, people have built right up the mountain sides. Vacating 400 N will create some problems in the future for people who want to build on those lots adjacent to the road.
    f. CoraLee Sanchez emphasized that once the land is vacated, the City can never get it back. Duchesne City may need to put in a road there in the future. Vacating streets sets a bad precedent for others who think they should be deeded City property. She does not agree with this proposal.
    g. David Herron asked why the City is even considering vacating the street. Mayor Rowley explained that vacating the street on 400 E creates a usable lot and without the additional property there is too much hillside and a house would not fit on the lot as is with the required setbacks. David believes that the City should not give up its land for free. Mayor Rowley explained that the Planning and Zoning and City Council led Travis Peterson to believe he could build a garage on his property and this street vacation is proposed to deed him some land to correct the mistake. Additionally, there is no possible way to build a road along the platted streets because of the steep hillside so he believes it makes sense to vacate the

land to the property owners. David believes it doesn't make sense to give the land away for free because of someone's mistake. CoraLee suggested the City could give Travis a variance for the amount that he is on City property with the understanding that if the City ever needed to develop that street he would have to move his garage. That way the City would not give up its property.

h. Karri Hoopes believes that because Travis built in the wrong place should not be given precedence over City property rights. The Commissioners' decision should not be made based on what an individual wants. Karri paved the alleyway that goes to her driveway knowing it is on City property but she understands that it is City property and the owners of the lots above her house have the right to use the alley to access their lots, and people have used it for that purpose. No one should be able to walk into the City and say, "I want" and get it, because then everyone could walk in and want something and expect to get it.
i. Cody Ivie asked about the justification of the street vacation on 400 N between 500 and 600 E. Deb Herron quoted from the ordinance that vacated that portion of the street as follows: "In the opinion of the City Council it is necessary to the peace, health, and safety of the inhabitants of Duchesne, that this ordinance shall take effect upon its just posting." Karri recalled that there was a trailer park in the area and the street vacation has something to do with the location of some of the trailers. Cody wanted to understand why only one block of 400 N was vacated in 1976.
j. Karri Hoopes does not believe the vacation is right.
k. Bob Hoopes said his daughter lives in an area where the street was narrowed and it makes parking a nightmare.
l. Deb Herron will summarize what has been said and will take the information to the City Council with the Commission's recommendations.
m. Cody Ivie believes that several mistakes were made but that Travis Peterson acted in good faith. The question is what to do now. He believes that some leniency would be appropriate in this situation.
n. Lynn Hamilton said the new garage might be fine forever but it might not be, only time will tell.
o. Bob Hoopes explained that the company that paved his driveway put the asphalt in the wrong place and it is currently on City property. He understands that it belongs to the City. He talked about the surrounding lots and some of the history with the grist mill.
p. The public hearing was closed at 6:51 pm

3. General Plan Data Presentation
    a. Danita Hinton prepared a google presentation that summarizes the data collected through the community survey. Deb Herron presented this information to the Commissioners and public. The presentation will be made available on the City's website.
4. 15-Minute Open Session
    a. Cody Ivie asked about how the railway will affect Duchesne City economically. There was some discussion about the impacts. Cody has spent a lot of time in the oilfield and projections show that the Basin can produce 150,000 barrels per day but the most that has ever been produced is 90,000 barrels per day. If the railway breaks ground next spring as projected there could be as many as 1600 workers needed and even if Duchesne County housed half of them, there is currently not enough housing available. Duchesne City needs to look very closely at the potential short and long-term effects.
5. Adjournment

Action Items:

1. Deb will prepare the Commission's decision regarding the street vacation and have it ready for review at the next Planning and Zoning meeting for the Commissioners' review.
2. Deb will present the General Plan Data to the City Council.

Motions:

1. Motion made by Lynn at 7:32 pm to adjourn, seconded by Cody, vote unanimous.

Adjourned at 7:32 pm

Next Meeting: November 9, 2020