

**HYDE PARK CITY  
PLANNING COMMISSION MEETING  
November 17, 2021  
Minutes**

PC Meeting began at 7:00 pm and was conducted by Commissioner Lynne.

**COMMISSIONERS PRESENT**

Mark Lynne, Derek Grange, Trent Hagman and Rachel Erickson (arrived late)

**OTHERS PRESENT**

Mayor Wheeler, Councilmembers Buck, Cox and Osborne, Councilmember-Elect Kevin Flint, PC Secretary Melinda Lee, Oliver Hoopes, Robert Kor, Deidri Noble, Kassi Madson, Aubree and Troy Hazard, Christian Hoopes, Chad Bingham, Kelly Harmon, Larry Rupp, Kevin Wheatley, David W. Griffin II, Stephen Taylor, Darin Evans, Ryan & Caroline Brady and another (undecipherable name on sign-in)

**THOUGHT/PRAYER** – Commissioner Grange

**PLEDGE OF ALLEGIANCE** – Commissioner Hagman

**APPROVAL OF MINUTES – October 20, 2021**

Hagman made a motion to accept the Minutes as corrected from the Planning Commission Meeting held October 20, 2021. Lynne seconded the motion. Motion carried 3/0.

**BUILDING PERMITS ISSUED**

|                     |                 |                 |
|---------------------|-----------------|-----------------|
| Home                | Heritage Land   | 415 N 900 E     |
| Electrical          | Craig Whyte     | 205 W 350 S     |
| Commercial          | LOP Properties  | 3900 N 75 W     |
| Deck                | Colton Peterson | 826 E 630 N     |
| Accessory Building  | Reed Elder      | 600 E 275 N     |
| Detached Garage     | Thayne Braegger | 158 E Center St |
| Commercial Addition | Tenko Metals    | 3852 N HWY 91   |

**CITY COUNCIL MEETING REPORT**

Councilmember Buck reported on City Council Meeting held November 10, 2021:

1. Received an update on the new water tank and pipe – the roof is on, there is quite a bit of pipe still to lay in the ground.
2. Considered inter-local agreement for NPPD, now documented.
3. Discussed changing 911 dispatch service fee and increasing to \$5 (from \$3). Did not approve. Will look into an additional \$2 emergency service fee as a separate line item.
4. Held Public Hearing on ADU ordinance. Passed 3/2.
5. Held Public Hearing on Master Road Plan. Did not take action. Will vote next meeting.
6. Made minor edit to ordinance regarding fire turnarounds at property lines.
7. Set time line on steps to update the General Plan.
8. Discussed Castle Manor event (wild party around Halloween). May amend ordinance regarding events.

Councilmember Cox reported on the City Open House held Tuesday, November 9, 2021:

- Cox has been compiling survey responses from the Open House. Lots of input. He has shared it with Council. He will send it to Commissioners.
- Underlying themes:
  - great city parks
  - want complete sidewalks throughout town
  - infrastructure
  - multi-family
- Cox made charts (donut/pie) – look busy but provide great information

**HAZARD MOTORSPORTS COMMERCIAL BUILDING DESIGN AND SITE PLAN REVIEW** (Administrative)

Commissioners reviewed the two commercial building designs, parking and site plan submitted by Aubree Hazard for a commercial building at 320 W 3700 N on 0.57 acres in the industrial zone. Parcel ID: 04-206-0002

Troy and Aubree spoke side by side. No employees or customers. He restores mostly Jeeps. The product is shipped to the customer.

Lynne said it is a good concept but more detail (like storm water plans) are required for full approval. Aubree answered that it will be fully engineered.

This is a corner lot, one side front setback can be 30 feet, and the main front setback must be 40 feet. Aubree asked if they could have two entrances. City code indicates driveways must be 300 feet from an intersection. Their whole lot isn't far enough to abide by the 300 feet. Sharing a driveway with the neighbor to the west is complicated by an electrical transformer box. They would like to have two entrances/exits so they could drive through the property with trailers.

Grange noted they could use the large inside area for an on-site turnaround. They acknowledged that but prefer to have two exits/entrances.

(Commissioner Erickson arrived at 7:25 pm)

Hagman feels Red Partner's project (190 W 3700 N) is in a similar situation. He wondered if we need to amend the code. Lynne did not have an issue with amending the code. He asked for City Council input.

Buck noted the ordinance requires sharing an entrance with the neighbor OR satisfying the 300 feet (from an intersection) requirement. Because of the transformer, they do not really have a cost-effective choice. The city prefers the entrance as far from the corner as possible.

Aubree asked if they can go east of the padmount transformer box? Lynne said they could, but to stay right next to it, far from the intersection.

Lynne said they need to have the storm water design drawn by an engineer. The one submitted from the Paragon Subdivision (years ago) is insufficient because standards have since changed.

Grange made a motion to continue the planning process of this project with two entrances and one building:

1. Storm water design plan by engineer
2. Building engineering
3. Site plan (with landscaping plan)

Hagman seconded the motion. Motion carried 4/0.

**CARBONATION COMMERCIAL BUILDING DESIGN AND SITE PLAN REVIEW (Administrative)**

Commissioners reviewed the commercial building design, parking and site plan submitted by Oliver Hoopes and Jayson Madson for a soda and treat shop, including pads for 2 food trucks, at 17 N 580 W (soon to be 549 W Center), on 0.6 acres in a commercial zone. Parcel ID: 04-031-0103.

Hagman asked about curb and gutter mentioned in the DRC Minutes. That is adjusted in the plans now. They want this to be the most convenient design possible. Parking and pedestrian traffic is separated from traffic in the queue.

Erickson asked for clarification on entrances. Even now cars get backed up on Center Street for Maverik.

Hagman asked if they share an easement with Cache Car Wash. Applicant assumed so. They tried to make it the safest, easiest possible. They hope for zero backups. They want to be the 'Jimmy Johns' of drinks.

Grange noted this has zero impact on existing roads. There are no new driveways off Center Street or the 80 E road, but it *will* add to the congestion of Maverik. He felt it looks like good flow.

The applicants hope to serve students from both high schools, and Moms after they drop off their kids.

The 6 parallel parking spots on the south side are for overflow parking.

Lynne liked it. Grange said it was impressive. Erickson asked about walk-up traffic. The applicant pointed out the sitting area that is meant to corral children and keep them away from the street.

Hagman made a motion to approve the site plan of Carbonation. Erickson seconded the motion. Motion passed 4/0. The applicants hope to open March 1, 2022.

**CONSIDER SUBDIVISION TRAILS DENSITY OPTION (Legislative)**

Commissioners reviewed the Trails Density Option draft - an alternative to trade density for public trails when developing subdivisions.

Mayor Wheeler explained the reason for creating this ordinance: This is a way to obtain trails and give away a few more lots to developers. We still buy land and build parks with the Bonus Density money. He walked through an example of a developer using both Bonus Density AND Trails Density. He discussed calculations, sensitive lands, and the Bonneville Shoreline Trail. This ordinance would help cover the cost of our infrastructure for many many years. The Mayor encouraged each Commissioner to make up some scenario and calculate what it would mean in various situations.

Lynne liked the example. He also suggested putting in a sample development so others could see and follow it through all the calculations. He thought the item should be continued tonight until commissioners have time to review the draft. Item continued.

**CONSIDER AMENDMENTS REGARDING INFRASTRUCTURE IMPROVEMENTS ON PREVIOUSLY UNDEVELOPED LOTS** (Legislative)

Commissioners considered amending HPC Code 12.30.020 "Additional Use Regulations" to obtain connectivity of sidewalks, especially related to infill development where sidewalk was not initially installed when the subdivision was developed.

Hagman disagreed with requiring these improvements for all new ADUs. Lynne suggested changing it to "DADUs".

Hagman made a motion to move this to City Council for approval with two changes:

1. Add an "s" to plural "house" to "houses", and
2. Change "ADU" to "DADU"

Grange seconded the motion. Motion passed 4/0.

**CONSIDER WATER CONSERVATION AND LANDSCAPING ORDINANCE** (Legislative)

Commissioners reviewed the draft ordinance and other documents prepared by the committee (Stephen Taylor, Larry Rupp and Brent Kelly) appointed by Mayor Wheeler.

Stephen Taylor explained both documents submitted by their committee. The ordinance draft is as much an educational document as it is a city ordinance. He assured there are ways to have a beautiful yard AND conserve water.

The other document is strictly recommendations on how to adjust water rates and how to manage water funds. Part of those recommendations is for the city to take over secondary water from private canal companies. This document is in addition to the draft ordinance submitted (recommendations attached at the end).

Erickson asked about an alternative to curb and gutter if you are on the bottom of a grade. Answer: a swale.

Lynne asked about implementing the secondary water system in the city. Everyone would have to turn over all water shares to the city. How do they recommend doing that without a revolt?!

Larry Rupp spoke to that. There are many examples where secondary systems are county-wide. A possible source of funding might be through the state who is considering metering secondary water. The state is likely pretty receptive to that idea right now. His own incentive would be to turn over all liability to the city. The best reason is to stop people from using culinary water on their landscaping. That assumes there is adequate secondary water. He believes there are enough points of value to at least look at it more closely. He wants people to be given "an appropriate amount of water", based on the size of their lot. He believes people can landscape however they want, although they should NOT be able to water however they want.

Lynne asked about progress on new water rates that have been studied all summer. Councilmember Buck said he has a final draft. Councilmember White is also involved and is still studying the issue.

Other items discussed:

- Water usage notes on utility bills (showing usage, their usage compared to others, their usage compared to recommendations)
- Determining normal indoor usage
- Progress on working meters for every connection (funds are the current stumbling block)

Rupp returned to explain the water maps program via USU. It is based on each lot, and how much water they need based on landscaping and weather. It has been used in school districts to educate.

Lynne asked if it is available for everyone right now.

Rupp said it has been developed for some cities. They have worked out most of the bugs, but there is a cost to setting it up.

Item continued.

Taylor noted tonight's discussion was all separate from the submitted draft ordinance.

#### **CONSIDER MIXED-USE OVERLAY ZONE (Legislative)**

Commissioners discussed creating a mixed-use overlay zone for parts of Hyde Park City. It could be a mix of housing types, and/or a mix of residential and commercial development, in the same parcel/property. Lynne believes the county is helping. The project is on hold a little until we redo the General Plan.

There are 178 returned surveys thus far. Mayor Wheeler noted we need to balance housing with commercial growth. Then we can move forward. There are many questions:

- How much density is appropriate?
- Where?
- What kind of housing in what zones?

Mayor Wheeler is happy to walk anyone through the vision and concept boards from the Open House if they were absent.

Hagman noted the extra attendees tonight are here because of the Open House. They live near 200 West. The county proposals were alarming.

Mayor Wheeler acknowledged that, but noted ideas presented that night are all concepts, not necessarily two options, A or B. He suggests developing in a way that mirrors existing development across the street. Behind them might have smaller lots. Then that same size would be mirrored behind them. Then an alley. Beyond that might have higher density - it could be townhomes or smaller homes on smaller lots. He believes we need to provide more smaller homes, possibly like his own home (1000 square feet footprint). Some homes' front doors may be off of a public green space. It is much easier to see in a drawing than to verbalize it.

Mayor Wheeler explained, once we see Wolf Pack Way continue north, we could allow some housing in the current commercial zone. The current land area reserved will not fill up with commercial. The area is too big, and shopping trends are changing. We need to have a plan, like our overlay zone, so we can require certain things. The city could dictate the façade or other design features. If the city allows

Planning Commission Meeting  
November 17, 2021

housing, at least a certain percentage should be reserved for retail. It may be a long time before it is filled but it would be saved.

Hagman believes a survey should be sent out to the community.

Erickson suggested having this item higher on the agenda if public input is anticipated.

Mayor Wheeler acknowledged the information may have been a little overwhelming at the Open House, and maybe it was deliberate in order to receive input.

Councilmember Osborne asked Commissioners to consider listening to Darin Evans who is here tonight.

Darin Evans has helped manage many housing units like Yorkshire. They have associations with bylaws. Investors, parking, and vandalism were terrible. He called out 'porch pirates' and said he spent a lot of time at the courthouse testifying. He believes if it is done right, it can fit into our community. He does not want one in front of his house. He liked what the Mayor said about developing. He knows we "have to have it". He came to Hyde Park because his Hyde Park customers were the best. There *are* some headaches with these developments. He said to drive around Smithfield and look around - "It's terrible".

Lynne said what he takes away from tonight is to first do the General Plan update before attacking the mixed-use overlay zone.

Item continued.

**Update - CONSIDER SHORT-TERM RENTAL REGULATIONS** (Legislative)  
City Council has not yet been asked about if/how to address these.

**TOMORROW: November 18, 2021 – CACHE SUMMIT** at Cache County Fairgrounds

**Meeting adjourned at 9:20 PM**

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Melinda Lee, Secretary  
Hyde Park Planning Commission

Attached: Water Conservation Recommendations

# Hyde Park Water Conservation Committee

## Recommendations for Conserving Water in Hyde Park City

In addition to implementing a city landscaping ordinance for new construction, as a committee we developed the following list of items for consideration by the Hyde Park Planning and Zoning committee and City Council. Many of these water conservation strategies are already implemented in other areas of the state and nation. In our view, the following measures will increase the ability of our city to conserve water resources while allowing for beautiful landscapes and continued development. Further, Hyde Park City could set an example for all of Cache Valley by adoption of such practices.

1. Implement WaterMAPS<sup>1</sup> technology to create water allocations for culinary water to individual properties based on their land area and expected use.
  - a. Using these water allocations, the city can provide more than sufficient water at nominal rates for all customers while also implementing aggressive water rates that penalize egregious culinary water users for overuse, while not creating a burden on the city to regulate *how* people use the water.
  - b. An intermediate step would be to look at a home's average winter water use (Nov-Feb) and set that at the base fee rate, then in the summer months (Mar-Oct) a multiplier is applied (e.g. 2x). For example:
    - i. Winter base = 5,000 gallons
    - ii. Summer base = 10,000 gallons
    - iii. Water use <5,000 gallons over base rates = slightly higher rate
    - iv. Water use >5,000 but < 10,000 gallons over base rates = higher rate
    - v. Water use >10,000 gallons over base rate = much higher rate,
    - vi. Water use >20,000 gallons over base rate = extremely high rate,
2. Funds from the more aggressive water rates above should be used to help Hyde Park City centralize, upgrade, and maintain all secondary irrigation water in the city. Hyde Park City will organize the distribution of all water shares within the city to land users and manage all secondary water to the city. This serves several purposes:
  - a. Secondary water shares will stay with the land in the city,
  - b. A mechanism is provided to decrease leakage from aging infrastructure by upgrading and/or fixing infrastructure associated with the irrigation canals,
  - c. Help more people use secondary water for their irrigation needs,
  - d. The City could manage irrigation water systems and liability as it does culinary water,
  - e. Funds from conservation water rates could subsidize funds obtained from direct irrigation water fees, and
  - f. The City may be able to use this model to access state funds for metered secondary irrigation programs.

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<sup>1</sup> WaterMAPS is a USU product that combines aerial photographs with anonymous property maps and billing data to determine if water use is appropriate based on the amount of irrigable property, rather than some arbitrary amount.

Planning Commission Meeting  
November 17, 2021

3. The City water bills need to be reformatted so that they show very clearly exactly how many gallons of water a customer is being billed for. In addition, a feature could be added that illustrates a relationship with the homes' water use and the rest of the city. This is so people know how much culinary water they use in relationship to their neighbors.
  - a. E.g., You're in the top 1% of water users in the city! Please cut back on your water use.
4. Feasibility of supplying secondary water to homes above the canal from the new overflow pond should be investigated.
5. Reconsideration of ordinances requiring curb and gutter. Not only does curb and gutter diminish the rural nature of Hyde Park, it also ensures that all precipitation is quickly removed from the city. The use of swales as an alternative would allow water to be absorbed into the soil for use on site or in replenishing the aquifer.

Sincerely,

*Stephen Taylor*

*Larry Rupp*

*Brent Kelly*

**Hyde Park City Water Conservation Committee Members**