

HONEYVILLE CITY PLANNING COMMISSION MEETING NOTICE & AGENDA

Notice is hereby given that the **Regular Meeting** of the **Honeyville City Planning Commission** will be held on **Wednesday September 28, 2022** at 7:00 p.m., in the Honeyville City Hall, 2635 West 6980 North, Honeyville, UT 84314. Interested citizens are invited to attend.

Call to Order – Kenny Funk

Invocation & Pledge of Allegiance – Kenny Funk

Conflict of Interest, if any:

Public Hearing – Proposed Rezone from A-5 to RR: Parcel #04-024-0053

- A. Open Public Hearing
- B. Close Public Hearing
- C. Action Item: Proposed Rezone from A-5 to RR: Parcel #004-024-0053

Public Comment Period: Comments will be listened to with no action taken. Items needing action will be placed on next month's agenda by request. Individuals will be given 5 minutes to comment.

Zoning Administrator Report - Codey Illum

Action Items:

- A. CUP Application – William Anderson
- B. Approval of Minutes: 08/17/22

Discussion Items:

- A. A-5A: Jones & Associates Draft Ordinance
- B. Accessory Setback Ordinance
- C. Suggested Water Ordinance Changes – Compiled List

Agenda Items for Next Month:

ADJOURNMENT

Posted on honeyvillecity.org, Utah Public Notice Website, at City Hall and at the Honeyville City Post Office: 09/20/22

**The Minutes of
Honeyville City Planning Commission
September 28, 2022, Regular Meeting**

Kenny Funk called the meeting to order at 7:00 p.m.

Present were Chairman Kenny Funk, Commission Members Ryan Adams, Laurie Hunsaker, Codey Illum, Bob Kosbab, Cherrisse Kaminska and Staci Zilles-Nelson.

Employees present: Brittiny Chlarson, Clerk/Recorder
Wendy Lindauer, Deputy Clerk
Dana Shuler, City Engineer

Approximately 46 members of the public were present.

Kenny Funk offered the Invocation and led the group in the Pledge of Allegiance.

Mayor Boyd Bingham addressed the public and explained that the public hearing process is to get input from the public, it does not mean that a decision has been made. The Planning Commission listens to the public, reviews the city ordinance and then makes a recommendation to the City Council for a final decision.

Conflict of Interest, if any: None Noted

Public Hearing – Proposed Rezone from A-5 to RR: Parcel #04-024-0053

A. Open Public Hearing: Public Hearing Opened at 7:02 p.m.
CODEY ILLUM motioned to open the Public Hearing for the Proposed Rezone from A-5 to RR for Parcel #04-024-0053 at 7:02 p.m. BOB KOSBAB seconded the motion. MOTION CARRIED with Ryan Adams for, Laurie Hunsaker for, Codey Illum for, Bob Kosbab for, Kenny Funk for, Cherrisse Kaminska for and Staci Zilles-Nelson for.

Jeanie Perry talked about the joy of living in a farming community where farms have been in families for generations and everyone knows each other by name. She felt that it would be unfair to let a developer come in and change the zoning when farm ground is so desperately needed and asked that the city keep the zoning as it is to protect the city's agriculture, water and way of life.

Lana Fannesbeck sent in a written request to keep the zoning as it is. The city clerk read her comments which expressed that those in an agricultural community are like minded and look

out for one another's land and livestock. She also shared that she moved from an area that was once rural, but had been taken over by development. Those who moved into that community did not like the smell of animals and therefor pushed the agricultural people out. She asked that Honeyville not allow the same thing to happen in the community and asked that those who move in uphold the current zoning laws instead of allowing them to change things.

Rhees Burt sent in a written statement which was read by the city clerk where he expressed that he has lived in Honeyville for 69 years where he has watched the growth of the city. However, those who built homes were held to the zoning that was in place. He has slowly watched Honeyville become less of the rural community it once was. With development comes concerns about water. He expressed that Honeyville has its current residents on a water restriction and with more development there is sure to be greater water issues. He asked that the commission look into the future to make sure they don't destroy the great community Honeyville is today.

Brittany Chlarson expressed that she and her husband are the landowners directly South of the property requesting a rezone. It was shared that they use this ground to produce crops which feeds their livestock which in turn feeds their family. Changing the zoning would greatly impact their farming ability on that parcel. It was expressed that by changing the zoning it would go against the intent of what Honeyville was founded on. There were concerns expressed about the road, the limited water and disruption to the field drains.

Justin Jones owns the old Varsel Chlarson home. The proposed rezone is the property that surrounds his home. He expressed concern with water delivery and water supply. He also brought up the concerns about how growth could impact the schools which would also affect the kids in Honeyville. He also mentioned concerns with the road and expressed that every other development on that road has been held to the 5-acre standard and felt that the city should not make an exception in this case.

Kenny Funk the Planning Commission Chairman took a moment to clarify that while the rezone request is for 130 acres to be rezoned to RR, the actual subdivision request would be for 70 lots.

Nicki Wilde Broadhead owns the property that borders the North section of the parcel being proposed for a rezone. She stated that she is against the rezone for the same reasons that have previously been stated. She moved to Honeyville to own horses and is opposed to the rezone.

Mary Bingham stated that when the agricultural ordinance was adopted in 1980, they put the 5-acre parcels in with the agricultural ground was because this allows individuals to live with those who make a living with agriculture. She discussed how valuable the farm ground is in Honeyville because of the length of the growing season and the good soil. She also expressed

that the agricultural lands allow individuals to have small hobby farms where they could not in a big city. She stated that a community decides what they want to be, they don't have to look like every other community around. Mary never thought she'd see the day when flour, eggs and milk were as expensive as they are now. She stated that we do not know what the future will bring, when the land is out of agriculture you can never get it back. She stated that currently the community has what they need to be self-sustaining, if that day ever came, due to all of the agricultural opportunities within the city. Her training has taught her that you plan the community, but you do not react to individual requests. She read the intent for both agricultural and residential. The purpose of agricultural ground is to preserve the conditions to agricultural lands. The purpose of residential is to protect residential uses.

Jim Kennington shared that he remembered a time when Jackson Hole was a small community, but is now taken over by development. He does not want Honeyville to become over populated and asked that it be known he is opposed to the rezone.

Carol Johanson shared her concerns with bringing in such a large number of homes and being able to provide police security. She stated that each home will have multiple people living within the home which will greatly increase the population. She expressed worries about the road and was concerned that this would be a gateway to opening up the city to duplexes and other types of development and would turn Honeyville into Ogden. She mentioned the value of Bear River Canal water shares and the importance of farm ground, because of those reasons she is against the rezone.

Candy Barlow owns property that is surrounded by the proposed acreage to be rezoned. She owns trucks and stated that a lot of people don't like big trucks and tractors and was concerned about the complaints that would be made. Candy moved to Honeyville three years ago to have the ability to run their trucking company and to have her kids fit into the elements that come with a small community. She understands that development will happen, but felt that by rezoning to 1-acre lots it would cause more problems than Honeyville is prepared for.

Randall Timmer stated that he recently moved to Honeyville and that those who chose to move to Honeyville did it for a reason and that was to move to a rural area to get away from the city. He mentioned issues with public safety and the infrastructure. He also expressed concern about water supply. He felt that the city needed to do a study on the water supply to find out if the city is even capable of handling this type of growth before they approve a rezone.

Scott Stacey stated that several members of the community are concerned about the water issue. He also felt that the comments made about police reinforcement and impacts on the schooling were valid comments. Scott lives above the canal so he does not have access to secondary water. With the water restrictions he worries every time he uses culinary water that

he is taking from someone else. He expressed his desire to keep the community small and tight knit. He is strongly against the rezone.

Jason Reney lives south of the proposed rezone. He asked if the general plan allows for one acre lots. He also discussed the width and roughness of the road in its current state. Jason is familiar with culinary water systems and stated that this type of growth could be a real issue for the water supply. He shared that there are not a lot of drains in the area and was concerned about basements flooding. The question was also raised about how the city would accommodate the sewer needs.

Kelsey Jones stated that she bought Ruth and Varsel Chlarson's home because she was surrounded by corn and hay fields and could see more than just houses and does not want 70 homes in her back yard. She expressed concerns about the road as well, stating that it is a long straight road that people drive at excessive speeds with no concern to the children or farmers. If the city allows more homes to be built the traffic on that road will increase and making these issues even worse.

Mike Gardner developed the subdivision just south of the property being discussed. He had to follow the 5-acre rule and he and his neighbors enjoy having their 5-acres.

Chris Slocum is new to the community and is a member of the Fire Department. He shared concerns with the Fire Hydrant pressure in that area.

Kathie Thompson stated that she has seen several towns that have not planned ahead for this type of development. She asked if the city was ready to have a full-time police department and a larger fire department. She stated that there has been development around her that once wasn't there and how that has impacted her, such as car lights shining into the home and loud cars at late hours of the night.

Dewayne Call lives directly across from the proposed rezone. He moved from Layton because of development drove him out. He has enjoyed farming in Honeyville. He watched what development did to Layton, it drove the farmers out. He stated that everything on the street will change if a subdivision is allowed.

Vickie Chidester moved to Honeyville because of the rural atmosphere. She understood the need to allow landowners to do what they want with their land, however at this time, Honeyville does not have the proper infrastructure for big growth.

B. Close Public Hearing: Public Hearing Closed at 7:39 p.m.

CODEY ILLUM motioned to close the Public Hearing at 7:39 p.m. RYAN ADAMS seconded the motion. MOTION CARRIED with Ryan Adams for, Laurie Hunsaker for, Codey Illum for, Bob Kosbab for, Kenny Funk for, Cherisse Kaminska for and Staci Zilles-Nelson for.

C. Action Item: Proposed Rezone from A-5 to RR: Parcel #04-024-0053

Nathan Leishman the individual requesting a rezone explained why he would like to have the rezone. He stated that he understands the love of a small town, but asked how many people have kids or grandkids that would like to live in Honeyville. He brought of the road issue and stated that when the city doesn't have the budget to improve the road then this can be compensated by development. **Codey I** asked if they plan to fix the entire road or the half of the road being developed. **Nathan L** stated that if they cover the road then who will cover the expense of the water improvements. **Codey I** asked that there be a clear discussion with clear answers to help the Planning Commission plan. **Nathan L** stated that the proposal is 70 lots.

Thomas Hunt the civil engineer on this project stated that part of the reason they have requested a higher density is to help cover the expense of improving the water line because the current water system is not sufficient for development. The developers can't financially pay for the waterline improvements without having more income by selling more lots.

Kelvin Judd a partner in the development group acknowledged everyone's concerns. He stated that they didn't set out for this large of a development, however with the expense of improving the waterline being so great it drove up their need to recoup their funds through selling additional lots. He was hoping this would open up a discussion between the developers and the city.

Ryan A reiterated that the discussion for the night was regarding a rezone from A-5 to RR. He read from the code where it talks about protecting the agricultural community. Ryan knows the farmers who farm that area and that it is working for them as it is now and asked how this rezone would protect the ag community. He further stated that by listening to the citizens present it sounded like Honeyville identifies as a farming community and felt that by making this change it would go against the intent of the community. He also said that the proposed rezone is the farthest point from development, which would require the greatest expense to get infrastructure to. **Kenny F** felt that it would create two separate city centers. **Laurie H** asked if this type of zoning was a part of the general plan. **Kenny F** shared that the general plan does show the possibility of 1-acre lots along the road, however it would still be 5-acre parcels in the back. It was further clarified that this is not currently zoned that way, but simply a part of the general plan.

Codey I clarified that the Planning Commission is only a recommending body. He also mentioned that at some point the city will need to fix the waterline in that area. He stated that either the city can have the developer pay to have the waterline improved or tax the citizens. Codey isn't stating that he's not saying he is for the rezone, he's just putting information out there for the commission to consider. He stated that he is for growth, but for smart growth.

Cherisse K stated that she doesn't feel the city should get involved with a developer.

Laurie H specified that their job as a Planning Commission is not to take an application and make it work. The job of the Planning Commission is to see if an application fits the city's plans.

Bob K mentioned that the general plan may change at some point, but he didn't feel that it was time for that change now.

Kelvin J asked if the developers were to stick with the current zoning would the city allow development with the waterline the way it currently is. **Codey I** stated that the city would rely upon their engineer to follow the legal requirements.

Dana S the city engineer, explained that a subdivision cannot be granted unless there are adequate public facilities. Any area of the town that does not have sufficient fire coverage will not be issued a building permit. **Codey I** clarified that this is for anyone requesting a building permit in an area that is lacking and that 3600 is not the only area in town that does not meet the fire requirement.

LAURIE HUNSAKER motioned to recommend the city council deny the proposed rezone from A-5 to RR for parcel #04-024-0053. CODEY ILLUM seconded the motion. MOTION CARRIED with Ryan Adams for, Laurie Hunsaker for, Codey Illum for, Bob Kosbab for, Kenny Funk for, Cherisse Kaminska for and Staci Zilles-Nelson for.

Public Comment Period: No Comments were made.

Zoning Administrator Report – Codey Illum

- A. AUD** – Codey shared that he made a mistake and approved an AUD that should not have been approved. Now that Codey has received further clarification about the AUD state statute, he realized that this individual will need to submit a CUP application. The applicant still falls within an allowed use; however, they simply need to follow the correct process. It was clarified that according to the new state law an AUD has to be attached to the home.

ACTION ITEMS:

- A. CUP Application – William Anderson:** The Anderson's are requesting permission to build a mother in-law apartment. The property already has a dwelling unit on it, which currently is not occupied, and he wants to build an additional dwelling unit on this parcel. They have an existing water connection to the property already and Honeyville's ordinance does not state they need to pay additional impact fees. **Cherisse K** was concerned that if the city does not charge impact fees for new dwellings, then the city will not have the money it needs to sustain improvements.

STACI ZILLES-NELSON motioned to recommend approval of the Anderson CUP Application as long as it meets setbacks. **RYAN ADAMS** seconded the motion. **MOTION CARRIED** with **Ryan Adams** for, **Laurie Hunsaker** for, **Bob Kosbab** for, **Codey Illum** for, **Kenny Funk** for, **Cherisse Kaminska** for and **Staci Zilles-Nelson** for.

- B. Approval of Regular Meeting Minutes: 08/17/22**

BOB KOSBAB motioned to approve the Regular Meeting Minutes of 08/17/22 as presented. **CODEY ILLUM** seconded the motion. **MOTION CARRIED** with **Ryan Adams** for, **Laurie Hunsaker** for, **Codey Illum** for, **Bob Kosbab** for, **Kenny Funk** for, **Cherisse Kaminska** for and **Staci Zilles-Nelson** for.

DISCUSSION ITEMS:

- A. A-5A: Jones & Associates Draft Ordinance- Dana Shuler**

While reviewing the proposed A-5A ordinance Dana found that there were several areas of concern. However, upon further research she found that the city already has a zone called the Planned Zone in place. This zone allows people to apply for a different zoning and gives the city more discretion over the zone. It has minimum lot size requirements that are similar to what the city was trying to accomplish with the A-5A, but it is already an existing ordinance. It is considered a special approval zone and will still require applicants to follow the rezone process. Dana would recommend using this rather than making changes to the A – Zone. The P Zone requires a rezone application along with a concept plan, concurrent with a development agreement. **Codey I** stated that the city really wants to keep the intent of the A-5A. **Laurie H** asked if they could change the P Zone to make sure it will meet the intent of the city. **Dana S** stated that the P Zone covers every type of zoning in the city. **Laurie H** shared that while the P Zone would allow the city to put the same restrictions as they created in the A-5A; the A-5A zone would not allow some of the uses the P Zone allows, this is a concern to the commission. Laurie is very concerned about protecting the city's intent. If the city does not clearly state what is not allowed then they could run into some issues. **Kenny F** stated that the general plan is very important in planning and this is what the commission should fall back on when looking at rezones. **Dana S** stated that there are

still some issues with the current code that make it really difficult when she is reviewing subdivision applications. She will make some recommendations for verbiage changes.

Mary Bingham who was a part of the A-5A committee stated that when you have an agricultural zone you know what is protected in that zone, when you have a residential zone you also know what is protected in that zone, however with the P zone what type of protection does this zone have.

- B. Accessory Setback Ordinance:** Put on next month's agenda.
- C. Suggested Water Ordinance:** Discussed proposed changes to the water ordinance. The commission wondered if they could hold developers to the standards they are working towards. **Dana S** shared that the state requirements are different than what were presented. The state requires .448 acre-feet for indoor use and 1.87 acre-feet for secondary water use per map zone 4.

AGENDA ITEMS FOR NEXT MONTH:

- A. Tolman CUP Application - Action**
- B. Ordinance Review – Discussion**
- C. Accessory Building Setbacks – Action**

STACI ZILLES-NELSON motioned to adjourn at 8:49 p.m. **CODEY ILLUM** seconded the motion. **MOTION CARRIED with Ryan Adams for, Laurie Hunsaker for, Codey Illum for, Bob Kosbab for, Kenny Funk for, Cherisse Kaminska for and Staci Zilles-Nelson for.**

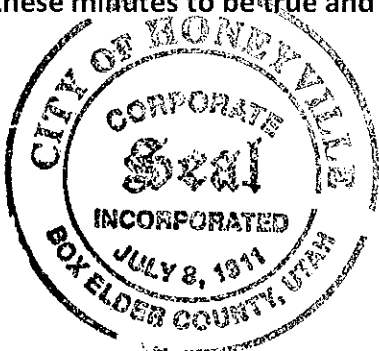
Meeting Adjourned at 8:49 p.m.

The foregoing minutes were taken and typed by Brittiny Chlarson.

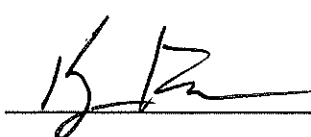
I certify these minutes to be true and accurate to the best of my knowledge.

ATTEST:

DATE APPROVED: 10-26-22




 Brittiny Chlarson – Clerk/Recorder


 Kenny Funk - Chairman