

**Washington County Planning Commission Meeting
March 28, 2000**

The Washington County Planning Commission Meeting was held on Tuesday, March 28, 2000 in the Commission Chambers of the Washington County Administration Building. The meeting convened at 1:36 p.m. by Chairman Seegmiller. Present were: Commissioners Sylvia Seegmiller, Leon Bowler, Boyd Fenn, Dave Everett, Mike Stucki, and Kerry Hepworth; Deputy County Attorney Brenton Rowe; County Surveyor Ronald Whitehead; Building Official Kurt Gardner and Planning Secretary Deon Goheen.

Excused: Commissioners Steve Robinson and Erroleen Scholzen.

AMENDED PLAT. Request permission to amend the subdivision plat for Dixie Springs - Phase "C", generally located southwesterly of Hurricane, Utah. Reed Noble, agent.

County Surveyor Ronald Whitehead reviewed the amended plat with the commission members, showing where the north and south accesses are planned for the future. With the amended plat, the initial roadway will be a centrally located access with a divided 4 lane highway. The County Surveyor said he had spoken to Mac Hall, with Hurricane City Planning, who indicated that the City Council is not in favor of only one access.

Commissioner Stucki stated his concerns for a second access into this development.

Commissioner Bowler felt that the 4 lane highway for access was adequate knowing that at build out and future development there will be several more access roads into this area.

Darwin Hall said he was in attendance at the Hurricane City Council meeting and they were concerned about police and fire protection, if the single water main should be broken. Emergency vehicles may have a hard time getting to this community if the road should become closed for any reason. The city felt that the other proposed routes were better.

The planner indicated that the other accesses were established from single to 2 lane traffic, as they are the roads being used at the present time.

Reed Noble said the Conservancy District is pressing to get the line to the reservoir. At build out (approximately 10 years) there will be 1400 lots. With the redesign of this plat, they lost 13 lots.

Commissioner Stucki wanted to know at what point as build out occurs will the second access begin and Mr. Noble said there was no good answer, as that would depend on what is occurring on the Winding River property.

Commissioner Bowler made the motion to approve the amendment and Commissioner Hepworth seconded the motion, with all five (5) commissioners voting, aye.

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FINAL APPROVAL. Consider approval of the final subdivision plat for “Cedar Point - Phase I”, a four (4) lot subdivision, generally located in the Canaan Gap area of the County. Pratt Precision Engineering. P.C., applicant.

The chairman noted that the applicant does not have all his information from the Southwest District Utah Public Health Department for drinking water approval.

The chairman said she would accept a motion to table this item and the following zone change request. Commissioner Stucki said, “So moved”, and Commissioner Hepworth seconded the motion, with all three (3) commissioners and the chairman voting, aye.

ZONE CHANGE. Request permission to change the zone from OS-20 (Open Space 20 acres) to RE-40.0 (Residential Estates 40,000 square feet) zone. “Cedar Point - Phase I”, 4 lots, located in the Canaan Gap area. Pratt Precision Engineering, P.C., applicant.

Action on previous item was in conjunction with this item. (see above)

PRELIMINARY APPROVAL. Consider approval of the preliminary plat for “Stephen Morgan Subdivision”, 3 lots, located approximately 3 miles east of New Harmony. Bulloch Brother Engineering, Inc., agent.

The County Surveyor reviewed the location and access to all three lots as being a private road. Commissioner Everett asked if there would be a need for a fire hydrant and the County Surveyor said there would need to be one located about 3/4ths of the way up the private drive. Storm drainage will be reviewed in the final stage of approval. There will need to be a culvert on the road west of the construction.

The culinary water comes from the New Harmony Farms Water Company and they have a storage facility on the east end of Interstate 15. The engineer said they met with the water board and cleared out all the issues of concern. The building official asked the commissioners to read their letter from Utah State Department of Environmental Quality (DEQ) closely, where it advises that the commercial lot containing numerous mobile homes could dilute the water rights of the share holders if water right requirements are assessed to each unit in accordance to State Rules. The applicants engineer assured the commission that Stephen Morgan has purchased three shares which entitles them to up to 3 acre foot of water per year. The subdivision meets the County requirement of .90 to each lot.

The County Surveyor said the letter from DEQ states feasibility on water source and it looks like they have the water rights and the connections. The written documentation given to the Planning Commission shows the water issue has been resolved.

Motion by Commissioner Stucki approving the request for preliminary plat approval and

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Commissioner Bowler seconded the motion, with all five (5) commissioners voting, aye.

ROAD DEDICATION PLAT. Consider approval for a road dedication plat generally located 1 mile east of New Harmony. Bulloch Brothers Engineering, Inc. agent.

The County Surveyor pointed to the road dedication plat on display, explaining that it is close to a mile or better north of Hwy. 144. There will be 20 acre parcels along that road and the applicant has provided a 50' access easement to the east off 1200 North, providing a looped access, which ties onto a dirt road that goes south to the highway.

The commissioners felt they would like to see the access east along the back side the 20 acre parcels, because of the distance of the road being further than the 1,600', which allowed before a second access is required.

The developer's engineer said that the property to the east is Forest Service and the topography will prohibit this access being used. The commissioners said it would be an emergency access out and would only need to be 25' in width. The engineer said he would see if the developer would agree to the recommendation.

Commissioner Hepworth made the motion to recommend approval of the road dedication plat conditioned upon acquiring a second access easement on the east property line. Commissioners Mike Stucki seconded the motion and all five (5) commissioners voted, aye.

LOT SPLIT. Request permission for a two (2) lot split fronting on a County road, adjacent to the Casa De Ora Subdivision. Pat Sheneman, agent.

The County Surveyor said the 2 lot split was discussed at the last meeting, but there was not a quorum to act on this item. This has been discussed with the planning staff a number of times. There is an existing manufactured home to the east of Casa De Ora Estates and the owners utilize the "Old" Old Hwy 91 access easement. There is a fire hydrant nearby, but the applicant has agreed to installing a 1,000 gallon water tank for fire protection for each lot.

Mr. Sheneman showed an alternate plan to the one posted, explaining that they would use the old "Old" Hwy 91 for access, so both parcels would be within 250' of a fire hydrant. There was a settlement from the title company to Mrs. Stevens for not disclosing the information on the access road that runs across the south end of her property in Casa De Oro Estates.

Commissioner Hepworth said less access off Old Hwy. 91 would be better. The County Surveyor said if the applicant used the dedicated road, El Camino Court, it would need to be fully improved to current County Standards. If Old Hwy. 91 is to be used as frontage, there would need to be an area off the road to slow down and the surveyor felt an improved graveled shoulder would be wide enough.

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There was also some mention of the home being sprinkled for both residences. The commissioner felt they should review this request again after going on another field trip to see how the right-of-ways relate to the lot split request.

Motion by Commissioner Hepworth moving to table the request, so the commission will have time to schedule a field trip to see how the road access relates to these two properties. Commissioner Bowler said that the field trip was a good idea. **Commissioner Stucki seconded the motion and all five (5) commissioners voted, aye.**

ZONE CHANGE. Request permission to change the zone from RE-40.0 (Residential Estates 40,000 square feet) to C-2 (Highway Commercial) zone, Homespun Village, lot 1, northeast of Leeds. Landevco/Gordon Anderson, agent.

The County Surveyor described this as being the bigger lot that fronted on Shadow Lane and had a few feet of frontage off Old Hwy. 91.

Mr. Anderson said he was sent here to make this property productive. The subdivision was developed 6 years ago and nothing has sold, since one of the parcels was donated to the church. The old Home Spun Restaurant was located adjacent to this parcel and now the parcel is run down, looking like a reject from "Tobacco Row".

The commissioners said they would feel better if this were to be changed to a PD Zone, with the applicant having a specific plan. Chairman Seegmiller asked the applicant if he had a financial interest in the development and Mr. Anderson indicated that he did. Commissioner Hepworth said she would not want to give a blanket C-2 Zone, which would allow a car sales lot and many other types of business.

Mr. Anderson said he wanted to open a little Danish Restaurant or pancake house on this 2 acre piece of land. There is an existing home on the property and indicated that he could quickly sketch a plan of what he wanted to do.

Commissioner Fenn said he would want to see an architectural set of plans.

Motion by Commissioner Stucki tabling this item, until written text and drawings are submitted and Commissioner Fenn seconded the motion, with all five (5) commissioners voting, aye.

The commissioners indicated they would look at this area while they were on their field trip reviewing the previous item. Mr. Anderson said he would be out of town for approximately a month, so he would have to notify the planning staff when he is ready for this to be back on the agenda.

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ZONING ORDINANCE AMENDMENT. Review and approve amendment to the Chapter 16. RE- Residential Estates Zoning Ordinance: Conditional Uses: 16-3.7. 2nd dwelling for member of owner’s family in the RE-40.0, Re-2.5 and RE-5.0 Districts only. County initiated.

The County Surveyor reviewed the ordinance amendment with the commissioners, stating that the 2nd unit may create problems with contaminating the aquifer.

Laurence Parker, with the Southwest Utah Public Health Department, advised the commission that the State has changed their regulations to read that there will be no on site waste systems permitted on blow sand. There would probably be an overload on leach fields and the aquifer, with the 2nd use. Mr. Parker suggested that the State is holding the County hostage on alternative systems, until the ground water study is accepted by the County. The planning secretary said the planning director was putting together new information on the ground water study in relation to basin areas instead of the specific subdivisions. Of which, the County Commission is in favor of.

Commissioner Fenn felt it was an enforcement problem. Giving an example, as to what ordinances in California have accomplished with the name of a chain store, “Toys ‘R’ Us”, where they were not able to use the “R” backwards.

The commission members decided against acting on this item, as it would be in their best interest to wait for new information on the ground water study that the Planning Director is working on.

Commissioner Everett made the motion to table the amendment and Commissioner Hepworth seconded the motion, with all five (5) commissioners voting, aye.

MINUTES. Consider approval of the minutes of the regular planning commission meeting held on February 22 and March 14, 2000.

Chairman Seegmiller said she would accept a motion to approve the minutes of February 22, 2000 and Commissioner Stucki said, “So moved”. Commissioner Fenn seconded the motion, with all five (5) commissioners voting, aye.

Chairman Seegmiller said the minutes of March 14, 2000 also need to be approved.

Commissioner Stucki made the motion to approved the minutes as presented and Commissioner Everett seconded the motion, with all five (5) commissioners voting, aye.

COUNTY COMMISSION ACTION REVIEW. Review of action taken by the County Commission on Planning Items. County initiated.

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The County Surveyor said there was nothing to report on this item.

The commissioners scheduled at field trip to the Leeds area on Thursday, April 6, 2000, meeting on site at 4:00 p.m.

There being no further business at 3:52 p.m., Chairman Seegmiller adjourned the meeting.

Deon Goheen, Planning Commission Secretary