

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 February 22, 2023** 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 - Cherisse Kaminska

Conflict of Interest, if any:

Public Hearing: Intent to Amend the City's Land Use Code Chapter 10: Agricultural Zones

- A. Open Public Hearing:
- B. Close Public Hearing:
- C. Action Item: Intent to Amend the City's Land Use Code Chapter 10: Agricultural Zones

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:

- A. Zoning Admin Report:

Action Items:

- A. Administer Oath of Office To:
 - Laurie Hunsaker, Bob Kosbab, Codey Illum & Jacob Jaques
- B. Shy CUP Application
- C. Approval of Minutes: 01/25/23

Discussion Items:

- A. Suggested Text Amendments
- B. ADU/Guest House Guidelines
- C. Define Structure/Fence/Corral

Agenda Items for Next Month:

ADJOURNMENT

Posted on honeyvillecity.org, Utah Public Notice Website, at City Hall and at the Honeyville City Post Office: 02/14/23



HONEYVILLE CITY

NOTICE OF INTENT TO AMEND THE CITY'S LAND USE CODE CHAPTER 10: AGRICULTURAL ZONES.

Honeyville City, located in Box Elder County, Utah intends to amend the City's land use code Chapter 10: Agricultural Zones. **NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING BEING HELD DURING THE HONEYVILLE CITY PLANNING COMMISSION MEETING ON WEDNESDAY, FEBRUARY 22, 2023 AT 7:00 P.M.,** at Honeyville City Hall (2635 W. 6980 N.)

This Public Meeting will be held **IN-PERSON** at Honeyville City Hall. If you wish to make a Public Comment at this meeting please be in attendance at 7:00 p.m.

Copies of the proposed changes are available to preview at Honeyville City Hall.

Brittney Charlson
Honeyville City Recorder
Posted this 6th day of February, 2023

ORDINANCE NO. _____

AN ORDINANCE OF HONEYVILLE CITY, UTAH, AMENDING THE CITY'S LAND USE CODE CHAPTER 10: AGRICULTURAL ZONES; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS ADOPTION AND POSTING.

SECTION 1. Recitals

WHEREAS, the City Council of Honeyville City finds that Honeyville City (herein "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, the City Council of Honeyville finds that in conformance with the relevant provisions of UCA, the governing body of the City may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by State law or any other provision of law; and,

WHEREAS, the City Council of Honeyville finds that certain exigencies of City governmental operations require that amendments be made from time to time to the Honeyville City Land Use Code; and,

WHEREAS, the City Council of Honeyville finds that a recommendation by the Honeyville Planning Commission has been made to update and amend Chapter 10: Agricultural Zones of the City's Land Use Code; and,

WHEREAS, Honeyville City Planning Commission scheduled and held a public hearing on the proposed amendment to the Honeyville City Land Used Code and provided prior notice of the public hearing as required by the Utah State Code through mailing to the affected entities within the prescribed time, posting at the required public locations and websites, and publishing a notice on the Utah Public Notice Website within the prescribed time as outlined in the Utah State Code; and

WHEREAS, after the public hearing was held and the general public was allowed to comment on the proposed amendment, the Honeyville City Planning Commission recommended amending Chapter 10: Agricultural Zones of the City's Land Use Code; and

WHEREAS, the City Council of Honeyville finds that all necessary requirements, public notices, and public hearings have been complied with to allow them to amend the City's Land Use Code; and,

WHEREAS, the City Council of Honeyville finds that the amendments to Chapter 10: Agricultural Zones of the City's Land Use Code as set forth below is in conformity with the City's General Plan; it is harmonious with the overall character of existing development in the

vicinity; it will not adversely affect properties within the zones; and it will be in the best interest of and promote the health, safety and general welfare of the residents of the City of Honeyville,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF HONEYVILLE AS FOLLOWS:

SECTION 1. Ordinance Amendment. The current Honeyville City Land Use Code, Chapter 10: Agricultural Zones is hereby repealed and replaced with the Chapter 10: Agricultural Zones language outlined in Exhibit A that is attached to this ordinance.

SECTION 2. Effective Date. This Ordinance shall take effect immediately upon its adoption, posting, and deposit with the City Recorder.

SECTION 3. Prior Ordinances. The body and substance of any and all prior Ordinances, together with their specific provisions, where not otherwise in conflict with this Ordinance, are hereby reaffirmed and readopted.

SECTION 4. Repealer of Conflicting Enactments. All orders and ordinances with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 5. Savings Clause. If any provision of this Ordinance shall be held or deemed to be or shall, in fact, be invalid, inoperative or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative or unenforceable to any extent whatever, this Ordinance and the provisions of this Ordinance being deemed to be the separate independent and severable act of the City Council of Honeyville.

BE IT FURTHER ORDAINED that this Ordinance shall become effective on the ____ day of ____, 2023, and after publication or posting as required by law.

DATED this ____ day of ____, 2023.

HONEYVILLE CITY

by: _____
Mayor of Honeyville

Attested and recorded

Recorder

Chapter 10: AGRICULTURAL ZONES

10-10-1: PURPOSE

10-10-2: SCOPE

10-10-3: USES ALLOWED

10-10-4: DEVELOPMENT STANDARDS

10-10-5: REGULATIONS OF GENERAL APPLICABILITY

10-10-6: REGULATIONS FOR SPECIFIC USES

10-10-7: SPECIAL REGULATIONS

10-10-8: TABLES

10-10-1: PURPOSE

Agricultural zones promote and preserve conditions favorable to agriculture and are intended to preserve and protect agricultural lands and related activities, permit activities normally and necessarily related to agricultural production, and prohibit land uses that may undermine continued agricultural activity.

- A. Agricultural 20 Zone: The agricultural 20 (A-20) zone is intended to be applied to land which is predominantly devoted to agricultural use and which is intended to remain as such ~~for the foreseeable future.~~
- B. Agricultural 5 Zone: ~~The purpose of the Agricultural 5 (A-5) Zone is to provide for and protect larger tracts of land intended for agricultural activities, such as, but not limited to crop cultivation and livestock grazing. The agricultural 5 (A-5) zone is intended to be applied to land historically used for agricultural purposes but which may change due to its adjacency to residentially zoned areas that may be expanded for development.~~
- B.C. Agricultural 5 Average Zone: The Agricultural 5 Average (A-5A) zone is intended to provide flexibility in lot formation in the Agricultural 5 Zone while still maintaining the purpose of the zone. The Agricultural 5 Average zone may be applied for in any area shown as A-5 on the Future Land Use Map.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-10-2: SCOPE

The provisions of this chapter shall apply to any real property located in an agricultural zone as shown on the official zoning map. No building, structure or real property shall be used and no building or structure shall be hereafter erected, structurally or substantially altered, or enlarged except as set forth in this chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this title, this code, or other laws.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-10-3: USES ALLOWED

- A. Permitted and Conditional Uses: Permitted and conditional uses allowed within agricultural zones shall be as set forth in table 10-10-1 of section 10-10-8 of this chapter. Permitted and conditional uses are indicated by a "P" or "C", respectively, in the appropriate column. Uses not permitted are indicated by "N". Any use not shown on table 10-10-1 of section 10-10-8 of this chapter shall be prohibited unless the zoning administrator determines the use is substantially the same as a permitted or conditional use based upon an administrative interpretation as provided in section 10-5-20 of this title.
- B. Accessory Uses: Permitted and conditional uses set forth in table 10-10-1 of section 10-10-8 of this chapter shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this title.

~~1. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.~~

HISTORY

Ver. 2022-11-07

Adopted by Ord. 2007-02 on 7/11/2007

10-10-4: DEVELOPMENT STANDARDS

Development standards within agricultural zones shall be as set forth in table 10-10-2 of sections 10-10-7 and 10-10-8 of this chapter.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-10-5: REGULATIONS OF GENERAL APPLICABILITY

The use and development of real property in agricultural zones shall conform to the development standards as set forth in this chapter and the following chapters of this title:

- A. Existing conditions inventory: See chapter 17 of this title.
- B. Landscaping and screening: See chapter 18 of this title.
- C. Off street parking: See chapter 19 of this title.
- D. Outdoor lighting: See chapter 20 of this title.
- E. Signs: See chapter 21 of this title.
- F. Supplementary development standards: See chapter 22 of this title.
- G. Water source protection: See chapter 23 of this title.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-10-6: REGULATIONS FOR SPECIFIC USES

To the extent that the use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in this title, such regulation shall apply in addition to the requirements of this chapter and shall prevail over any conflicting provision of this chapter.

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007

10-10-7: SPECIAL REGULATIONS

- A. The following special regulations shall apply to development within the A-20 zone:

~~A.1. Increased Height: Notwithstanding the height limitations shown on table 10-10-2 of section 10-10-8 of this chapter, a greater building height may be allowed pursuant to a conditional use permit.~~

- 1. Uses: Each new lot shall conform to the Uses of the A-5 or A-20 zone, as the case may be, based on size, as follows:
 - a. One (1) acre and larger but smaller than twenty (20) acres: A-5 zone Uses
 - b. Twenty (20) acres and larger: A-20 zone Uses
- 2. Development Standards: Each new lot shall conform to the Development Standards of the RR, A-5, or A-20 zone, excluding Lot Size and Density Standards, as the case may be, based on size, as follows:
 - a. One (1) acre and larger but smaller than five (5) acres: RR zone Development Standards
 - b. Five (5) acres and larger but smaller than twenty (20) acres: A-5 zone Development Standards
 - c. Twenty (20) acres and larger: A-20 zone Development Standards

~~B.3.~~ Lot Size and Subdivision Density Standards: One (1) acre and larger lots may be subdivided from an existing lot or parcel located in the A-20 zone so long as the following conditions are met:~~One Acre Lots Abutting An Existing Or Proposed Public Street:~~

- a. Total lot density of the subdivision, excluding streets and rights-of-way, calculated as shown in paragraph c of this subsection, shall not exceed two-tenths (0.2) lot per acre, with at least one (1) lot being twenty (20) acres or larger.
- ~~1. Notwithstanding the twenty (20) acre minimum lot area requirement in an A-20 zone, as set forth on table 10-10-2 of section 10-10-8 of this chapter, one acre or larger lots may be subdivided from an existing lot located in the agricultural (A) zone so long as:~~
 - ~~a. Any new lot is subdivided from a legally created lot of record;~~
 - b. ~~All new and existing lots /parcels shall~~ ~~The remainder of the original lot or parcel and~~ each ~~new lot~~ abut an existing or proposed public street for at least the distance shown ~~below,~~ based on lot size, as follows: in Table 10-10-2 of this section.
 - i. ~~Up to five (5) acres: Two hundred feet (200'); and~~
 - ii. ~~Larger than five (5) acres but smaller than twenty (20) acres: Three hundred feet (300'); and~~
 - a) ~~Twenty (20) acres or larger: Five hundred feet (500');~~
- c. The density within the subdivision shall be calculated as shown in the following example:

50 acres of land within subdivision boundary
2 acres will be used for road rights-of-way
 $50 - 2 = 48$ acres of land available for lot formation
 $48 \text{ acres} \times 0.2 \text{ lot per acre} = 9.6 \text{ lots}$; therefore, a maximum of 9 total lots are allowable
1 lot shall be at least 20 acres in size and the remaining 8 lots shall be at least 1 acre in size

~~2.4.~~ A deed restriction shall be placed on the ~~The remainder of the original lot shall be deemed one lot subject to the development standards of the A-20 zone and~~ 20-acre and larger lot(s) such that it/they shall not be further subdivided so long as the subdivision remains in the A-20 zone.

5. The remainder of the original parcel (remnant parcel):

- a. Shall be a minimum of twenty (20) acres;
- b. Shall not be made non-conforming in use or development standards; and
- c. Shall not be included in the subdivision area.

6. Increased Height: Notwithstanding the height limitations shown on table 10-10-2 of section 10-10-8 of this chapter, a greater building height may be allowed pursuant to a conditional use permit.

~~a. Each newly created lot conforms to the development standards of the RR, A-5, or A-20 zone, as the case may be, based on lot size, as follows:~~

- ~~i. Up to five (5) acres: RR zone standards;~~
- ~~ii. Larger than five (5) acres but smaller than twenty (20) acres: A-5 zone standards; and~~
- ~~iii. Twenty (20) acres or larger: A-20 zone standards;~~

~~b. Total lot density in the subdivision does not exceed two-tenths (0.2) lot per acre, calculated as shown in subsection B3 of this section; and~~

~~c. After completion of the subdivision, the remainder of the original lot is at least~~

~~twenty (20) acres in size, excluding streets and rights-of-way.~~

~~3.a. The remainder of the original lot shall be deemed one lot subject to the development standards of the A-20 zone and shall not be further subdivided so long as the subdivision remains in the A-20 zone.~~

~~4. The calculation of density within the subdivision shall include the remainder lot and shall be calculated as shown in the following example:~~

~~50 acres of land x 0.2 lot per acre = 10 total lots~~

~~B. 9 lots shall be at least 1 acre in size and 1 lot shall be at least 20 acres in size, excluding streets and rights-of-way.~~
The following special regulations shall apply to development within the A-5A zone:

1. Uses: Each new lot shall conform to the Uses of the A-5 zone.
2. Development Standards: Each new lot shall conform to the Development Standards of the RR or A-5 zone, excluding of Lot Size and Density Standards, as the case may be, based on lot size, as follows:
 - a. Two-and-one-half (2.5) acres and larger but smaller than five (5) acres: RR zone Development Standards
 - b. Five (5) acres and larger: A-5 zone Development Standards
3. Lot Size and Subdivision Density Standards: Two-and-one-half (2.5) acre and larger lots but smaller than ten (10) acres may be subdivided from an existing lot or parcel located in the A-5A zone so long as the following conditions are met:
 - a. Lot size complies with table 10-10-2 of section 10-10-8 of this chapter.
 - b. Total lot density of the subdivision, excluding streets and rights-of-way, calculated as shown in paragraph d of this subsection, shall not exceed two-tenths (0.2) lot per acre,
 - c. All new and existing lots and any remnant parcel shall abut an existing or proposed public street for at least the distance shown in Table 10-10-2 of this section.
 - d. The density within the subdivision shall be calculated as shown in the following example:

50 acres of land within subdivision boundary

2 acres will be used for road rights-of-way

50 – 2 = 48 acres of land available for lot formation

48 acres x 0.2 lot per acre = 9.6 lots; therefore, a maximum of 9 total lots are allowable
4. The remainder of the original parcel (remnant parcel):
 - a. Shall be a minimum of five (5) acres;
 - b. Shall not be made non-conforming in use or development standards; and
 - c. Shall not be included in the subdivision area.

HISTORY

Adopted by Ord. 2009-03 on 4/8/2009

10-10-2 10-10-8: TABLES

TABLE 10-10-1

PERMITTED AND CONDITIONAL USES ALLOWED IN AGRICULTURAL ZONES

Use	Zone	
	A-20	A-5
Agricultural uses:		
Agricultural business	C	C
Agricultural industry	C	C
Agriculture	P	P
Animal specialties	C	C
Animals and fowl for recreation and family food production	P	P
Stable, private	C	C
Stable, public	C	C
Residential uses:		
Dwelling, single-family	P	P
Dwelling, single-family with internal accessory dwelling unit (subject to Utah Code 10-9a-530) ~~accessory apartment~~	P	CP
Dwelling, single-family with detached accessory apartment	C	C
Dwelling, temporary ¹	C	C
Guesthouse	C	C
Residential facility for elderly persons ²	P	P
Residential facility for persons with a disability ²	P	P
Public and civic uses:		
Auditorium or stadium	C	C
Cemetery	P	P
Church or place of worship	P	P
Golf course	C	C
Government service	P	P
Park	P	P
School, charter (subject to Utah Code 10-9a-305)	P	P
School, elementary, middle, or high (subject to Utah Code 10-9a-305)	P	P
Utility, minor	P	P
Utility substation	C	C
Commercial uses:		
Agricultural sales and service	C	C
Animal hospital	C	C

Use	Zone	
	A-20	A-5
Bed and breakfast	C	C
Family child daycare facility ³	P	P
Family child residential certificate care facility ³	P	P
Family group child daycare facility ³	C	C
Kennel	C	C
Parking lot, public	C	C
Produce stand	C	C
Veterinary service	C	C
Wireless telecommunication facility	C	C

Notes:

1. Temporary dwelling must be removed within 30 days after a certificate of occupancy is issued for a permanent dwelling.
2. See chapter 27 of this title.
3. See chapter 25 of this title.

TABLE 10-10-2
DEVELOPMENT STANDARDS IN AGRICULTURAL ZONES

Development	Zone		
	A-20	A-5	A-5A
Density Standards:			
Lots per acre	0.2 average (see subsection 10-10-7.A of this chapter)	0.2	0.2 average (see subsection 10-10-7.B of this chapter)
Lots standards:			
Minimum lot area	~~20 acres or 1 acre, when abutting an existing or proposed city street (see subsection 10-10-7B of this chapter)~~ Minimum 1 acre with at least one (1) lot being 20 acres or larger (see subsection 10-10-7.A of this chapter)	Minimum: 5 acres	Minimum: 2.5 acres Maximum: less than 10 acres
Minimum lot width	Minimum lot width shall be based on lot size: • 1 acre and larger but smaller than 5 acres: 200 feet • 5 acres and larger but	300 feet	Minimum lot width shall be based on lot size: • 2.5 acres and larger but smaller than 5 acres: 200 feet

Development	Zone		
	A-20	A-5	A-5A
	smaller than 20 acres: 300 feet • 20 acres and larger: 500 feet		• 5 acres and larger but smaller than 10 acres: 300 feet
Building standards:			See 10-10-7.B.2
Maximum height, accessory building	45 feet	45 feet	45 feet
Maximum height, main building ¹	45 feet	45 feet	45 feet
Maximum stories	3.5 stories	3.5 stories	3.5 stories
Setback standards - front yard:			See 10-10-7.B.2
Any building ²	35 feet	35 feet	35 feet
Setback standards - rear yard:			See 10-10-7.B.2
Accessory building (allowed only when more than 20 feet behind main building)	~~36 feet minimum, if roof drains only on the subject property and building code requirements are met plus 1 foot increased setback for each 6 feet of building height above 18 feet.~~	~~36 feet minimum, if roof drains only on the subject property and building code requirements are met plus 1 foot increased setback for each 6 feet of building height above 18 feet.~~	~~36 feet minimum, if roof drains only on the subject property and building code requirements are met plus 1 foot increased setback for each 6 feet of building height above 18 feet.~~
Main building	20 feet	20 feet	20 feet
Setback standards- street side yard:			See 10-10-7.B.2
Accessory building	Not permitted within street side yard	Not permitted within street side yard	Not permitted within street side yard
Main building	35 feet	35 feet	35 feet
Main building on corner lot with yard of another lot	35 feet	35 feet	35 feet
Setback standards- interior side yard:			See 10-10-7.B.2
Accessory building	~~15-6 feet, when left behind main building~~	~~156 feet, when left behind main building~~	~~156 feet, when located behind main building~~
Main building	20 feet	20 feet	20 feet

Notes:

1. Except as otherwise permitted by subsection 10-10-7A of this chapter.
2. Except as modified by the provisions of subsection 10-22-14E, "Setback Measurement", of this title

HISTORY

Adopted by Ord. 2007-02 on 7/11/2007



MEMORANDUM

To: Honeyville City Planning Commission
For February 22, 2023 meeting

From: Dana Q. Shuler, P.E.
City Engineer's Office
Jones & Associates Consulting Engineers

RE: **Conditional Use Permit Request**
Shy Guesthouse, Parcel No. 04-019-0171

Date: January 31, 2023

Honeyville City received an application for a conditional use for the above referenced parcel.

APPLICATION / SUBJECT PROPERTY

Parcel No.	04-019-0171
Owner	Terry Shy
Applicant	Terry Shy
Address	7074 N 2750 W
Area	1.5 acres
Current Zoning	R1
Sensitive Lands	Parcel appears to be in a moderate/high liquefaction risk zone.

CONDITIONAL USE PERMIT REQUEST

Requested Use	Addition of a guesthouse
Concept Plan (attached)	Concept plan shows approximate location of home, garage, and proposed guesthouse on the parcel. Setbacks to property line are given for the guesthouse. No information regarding the structure has been provided.

DEFINITION

GUESTHOUSE	A secondary, detached dwelling unit with or without kitchen facilities located on a lot with one or more main dwelling units which is: A. Used for housing of guests without compensation, and B. Not rented, leased or sold separately from the rental, lease or sale of the main dwelling unit(s) on the lot.
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CONDITIONAL USE PERMIT, CONSIDERING FACTORS (10-5-14.E.4)

The following factors shall be reviewed and considered in determining whether a conditional use permit application should be approved, approved with conditions, or denied: (*select paragraphs only*)

<i>Paragraph Reference</i>	<i>Staff Comments</i>
a. The harmony and compliance of the proposed use with the objectives and requirements of the city's general plan and this title.	Guesthouses are a conditional use
b. The suitability of the specific property for the proposed use.	Parcel appears to be of sufficient size to accommodate proposed guesthouse.
h. The present and future requirements for transportation, traffic, water, sewer, and other utilities, for the proposed site and surrounding area.	No significant impact.
i. The safeguards proposed or provided to assure the use is served by adequate utilities, transportation access, drainage, parking, loading space, lighting, screening, landscaping, open space, fire protection, and pedestrian and vehicular circulation.	The following applicable adequate facilities are not available were reviewed: • Culinary water/fire protection is adequate. • Transportation access is adequate. • Septic system must be evaluated by BRHD. Code Reference 10-22-4: Adequate Public Facilities

RESIDENTIAL ZONE (10-11)**10-11-4: Development Standards**

Development standards within residential zones shall be as set forth in table 10-11-2 of section 10-11-8 of this chapter.

TABLE 10-11-2: DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES

<i>Development Standard</i>	<i>Zone R1</i>	<i>Staff Comment</i>
Maximum height, accessory building	20 feet	No information provided.
Maximum size, accessory building ²	500 square feet	No information provided. See also 10-11-7: Special Regulations.

² Except as otherwise permitted by subsection 10-11-7B of this chapter.

10-11-7: Special Regulations

<i>Paragraph Reference</i>	<i>Staff Comments</i>
B. Larger Accessory Buildings: Notwithstanding the maximum building size limitation shown on table 10-11-2 of section 10-11-8 of this chapter, the maximum size of an accessory building may be increased pursuant to a conditional use permit.	Maximum size of an accessory building is 500 square feet but may be increased as a condition of the conditional use permit.

After consideration, Planning Commission shall submit to the City Council a recommendation for approval, approval with conditions, or denial of the application.

Attachments: Application with concept plan

CODE REFERENCES

10-5-14: CONDITIONAL USE PERMIT

E. Approval Standards: A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. The following standards shall apply to the issuance of a conditional use permit:

1. A conditional use permit may be issued only when the proposed conditional use is allowed by the zone where the conditional use will be located, or by another provision of this title.
2. Conditions may be imposed as necessary to prevent or minimize adverse effects upon other property or improvements in the vicinity of a conditional use, upon the city as a whole, or upon public facilities and services. Such conditions may include, but are not limited to, conditions concerning use, construction, character, location, landscaping, screening, parking, hours of operation, and other matters relating to the purposes and objectives of this title. Such conditions shall be expressly set forth in a motion authorizing a conditional use permit.
3. No conditional use permit shall be authorized unless the evidence presented satisfies each of the following standards. The planning commission and city council may request additional information as may be reasonably needed to determine whether the standards of this subsection can be met.
 - a. The proposed use will not, under the particular circumstances and conditions imposed, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
 - b. The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood and community.
 - c. The proposed use will comply with regulations and conditions specified in this title for such use.
 - d. The proposed use will be compatible with and complementary to existing surrounding uses, buildings and structures.
4. The following factors shall be reviewed and considered in determining whether a conditional use permit application should be approved, approved with conditions, or denied:
 - a. The harmony and compliance of the proposed use with the objectives and requirements of the city's general plan and this title.
 - b. The suitability of the specific property for the proposed use.
 - c. The development or lack of development adjacent to the proposed site and the harmony of the proposed use with existing uses in the vicinity.
 - d. Whether or not the proposed use or facility may be injurious to potential or existing development in the vicinity.
 - e. The economic impact of the proposed facility or use on the surrounding area.
 - f. The aesthetic impact of the proposed facility or use on the surrounding area.
 - g. The number of other similar conditional uses in the area and the public need for the proposed conditional use.
 - h. The present and future requirements for transportation, traffic, water, sewer, and other

utilities, for the proposed site and surrounding area.

- i. The safeguards proposed or provided to assure the use is served by adequate utilities, transportation access, drainage, parking, loading space, lighting, screening, landscaping, open space, fire protection, and pedestrian and vehicular circulation.
- j. The safeguards provided or proposed to prevent noxious or offensive emissions such as noise, glare, dust, pollutants and odor from the proposed use.
- k. The safeguards provided or proposed to minimize other adverse effects from the proposed facility or use on persons or property in the area; and
- l. The impact of the proposed use on the health, safety, and welfare of the city, the area, and persons owning or leasing property in the area.

10-22-4: ADEQUATE PUBLIC FACILITIES

Land shall be developed only where existing infrastructure is in place or will be timely provided to service proposed development. The city may require an analysis to be completed to determine whether adequate public facilities are available to service a development and whether such development will change existing levels of service or will create a demand which exceeds acceptable levels of service for roadways, intersections, bridges, storm drainage facilities, water lines, water pressure, sewer lines, fire and emergency response times, and other similar public services. The city may disapprove a proposed development if demand for public services exceeds accepted levels of service. No subsequent approval of such development shall be given until either the developer or the city installs improvements calculated to raise service levels to the standard adopted by the city.



Conditional Use Permit Application

Property Location: 7074 N. 2750 W. Honeyville

Parcel Number(s): 04-019-0171 Total Acres: 1.5

Current Zone: R / Surrounding Land Uses: RESIDENTIAL

Is the Proposed Use: ☒ Permitted ☐ Conditional ☐ Not Permitted/ Listed

Proposed Use: Guest House / detached
Mother-in-law apartment

Briefly explain how the proposed use meets the approval standards as set forth in City Code
(See 10-5-14 E): _____

Business Name (if applicable): _____

Anticipated # of Employees: 0 Anticipated # of Customers/Day: 0

Available Parking Spaces: 0 Hours of Operation: 0

of Residential Units (if applicable): 0 # of Dogs (Kennels Only): _____

Contact Information

Property Owner: Terry N. or Connie P. Shy

☒ Check Here if Same as Applicant / Developer

Address: _____

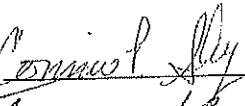
Phone: _____ Email: _____

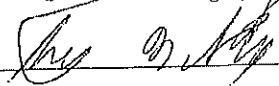
Applicant / Developer: Terry Shy

Applicant Certification Request for Conditional Use Permit

I swear the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly, to the best of my ability, present the argument in behalf of the application requested herewith, and that the statements and information above referred to are in all respects true and correct to the best of my knowledge and belief. I also certify and agree:

- I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application and to appear on my/our behalf before any city commission, board or council considering this application.
- I understand that Honeyville City may rescind any approval or take any other legal or appropriate action for information or representations submitted that is incorrect or untrue.
- I have reviewed the applicable sections of the Honeyville City Land Use Ordinances and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses.
- To pay all fees associated with this application as assessed by the current adopted Consolidated Fee Schedule, as well as any fees associated with any City Consultant (e.g. engineer, attorney) .
- The applicant shall also be responsible for all collection fees incurred including a collection fee of up to 40% (pursuant to the provisions of the Utah Code Ann. §12-1-11).
- To allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Property Owner's Signature:  Date: Dec 28, 2022

Applicant's Signature:  Date: 01-10-23

If different from Property Owner

Agent Authorization

State of Utah)

County of Box Elder)

I/We, the sole owner(s) of the real property located at 7074 N. 2750 W,
Honeyville, Utah, hereby appoint Terry Shy or Connie P. Shy as my/our
Agent with regard to this application affecting the above described real property, and authorize
said Agent to appear on my/our behalf before any city commission, board or council
considering this application.

Dated this 9th day of January, 2023
28th day of Dec, 2022

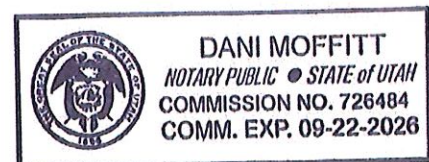
Signed: _____

Property Owner

Connie P. Shy
Property Owner

Subscribed and sworn to before me on this 9th day of January, 2023

Dani Moffitt
Notary Public



Water

27-21 W

04-019-0170

04-019-0031

04-019-0171

26

30

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PARK, NO

DRIVE WAY

Dele Wm



Box Elder County Mile Markers

Cities Freeway Exits

1:564

**The DRAFT Minutes of
Honeyville City Planning Commission
January 25, 2023, Regular Meeting**

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

Present were Chairman Kenny Funk, Commission Members Laurie Hunsaker, Codey Illum, Bob Kosbab and Staci Zilles-Nelson. Cherisse Kaminska arrived at 7:03 p.m.

Employees present: Brittiny Chlarson, Clerk/Recorder
Wendy Lindauer, Deputy Clerk

Approximately 3 members of the public were present.

Staci Zilles-Nelson offered the Invocation and led the group in the Pledge of Allegiance.

Conflict of Interest, if any: **Codey I** stated action item A is not ready for a motion. This item will be moved to discussion items.

Public Comment Period:

Dave Hougaard addressed the commission regarding guest homes. He had concerns that the city does not have a way of knowing whether or not these buildings are actually being rented out or not. Which would make it hard to know if they are compliant with the code. He asked that the commission consider the following conditions be put on guest houses: Limit the dwelling to 600 square feet with one bedroom only. He suggested the septic system be tied to the main home and that only one water hook-up be allowed. Further, he recommended that the guest house be closer to the home on the same property rather than to the neighbor's property.

ZONING ADMINISTRATOR REPORT – Codey Illum:

- A. Building Permit Report:** No building permits to report at this time.
- B. Defining Fence/Structure/Corral:** The lawsuit regarding the fence/structure/corral has resolved enough that the attorney feels comfortable advising the city to look at those definitions and make it more clear.
- C. Detached ADU's:** The legislation is looking to pass detached ADU's as allowed use in every town and city within Utah.

ACTION ITEMS:

- A. **Define Frontage:** Moved to Discussion Item.
- B. **Approval of Minutes 12/28/22:**

STACI ZILLES-NELSON motioned to approve the minutes of 12/28/22 as presented. CODEY ILLUM seconded the motion. MOTION CARRIED with Laurie Hunsaker for, Codey Illum for, Bob Kosbab for, Kenny Funk for, Cherisse Kaminska for and Staci Zilles-Nelson for.

DISCUSSION ITEMS:

- A. **ADU Guidelines:** ADU's require a septic inspection and must meet code. The Commission wants to require off street parking. They will need to define what off street parking is and where they want this parking to take place.

There was discussion about what codes the city already has in place regarding parking on the streets and how it could be enforced.

It was asked if individuals get building permits to finish their basement, which **Codey I** clarified that they are, but it is difficult to enforce.

Kenny F would like to address the ADU guidelines at the same time they address the Guest Houses and asked the Commission to put a list together of requirements they feel would be best for the city. This will be on next month's agenda.

- B. **Accessory Building Setbacks:** **Staci Zilles-Nelson** expressed concern about the previous suggested 6' setbacks for accessory buildings now that she has seen the snow fall off of sheds. She wondered if the 6' would be sufficient. There was a suggestion that they could base the setbacks off of the square footage of the shed. It was suggested to put the back and side yard accessory building setbacks to 10'.
- C. **Define Frontage:** The definition of Frontage was read, and it was suggested that a depth requirement be made for frontage. **Kory W** suggested using acreage to create the depth. **Codey I** suggested using percentages because not all lots are square. The percentage recommended was 80%. Meaning the landowner could not reduce it's lot by 80%. It was stated that the city would need to make a text amendment to the definition of frontage, but would not need to be defined in the table.

AGENDA ITEMS FOR NEXT MONTH:

- A. Define Structure/Fence/Corral - Discussion
- B. ADU/Guest House Guidelines – Discussion
- C. Define Frontage - Discussion
- D. Accessory Building Setbacks – Public Hearing – Action
- E. A-5A – Public Hearing – Action

CODEY ILLUM motioned to adjourn at 8:03 p.m. STACI ZILLES-NELSON seconded the motion. MOTION CARRIED with Laurie Hunsaker for, Codey Illum for, Bob Kosbab for, Kenny Funk for, Cherisse Kaminska for and Staci Zilles-Nelson for.

Meeting Adjourned at 8:03 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: _____

Brittiny Chlarson – Clerk/Recorder

Kenny Funk - Chairman

SUGGESTIONS FROM DANA:

Can we add a text amendment to the R-Zone to the next available PC meeting?? I'm honestly not sure what it's supposed to be, but based on the "Purpose" statements, I believe it should be what I redlined:

4/16/2019	Print Preview			density and lot areas do not jive
Development Standard	Zones			
	RR	R1	R2	
Density standards:				
Dwelling units per acre	1	0.5 2	0.25 2	
Lot standards:				
Minimum lot area	1 acre	0.5 acre	0.5 acre	
Minimum lot width	200 feet	100 feet	100 feet	
Building standards:				

Also, could we add the following sentence to 10-11-7 Special Regulations:

*D. The RR zone, as identified on the current Zoning Map and Future Land Use Map, shall be defined as being 217.8-ft deep as measured from the **planned** road right-of-way, in order to accommodate one-acre (43,560 square feet) lots with 200-ft **minimum lot width**.*

These are just 2 quick cleanup items in the ordinance that we need to do sooner than later as people are looking at developing in one of these zones. **There's more to be done regarding the uses, but this would at least clean up the contradiction in the table.**