

NORTH OGDEN PLANNING COMMISSION

MEETING MINUTES

January 24, 2018

The North Ogden Planning Commission convened in a regular meeting on January 24, 2018 at 6:30 p.m. in the North Ogden City Municipal Building, 505 E. 2600 N. North Ogden, Utah. Notice of time, place and agenda of the meeting was furnished to each member of the Planning Commission, posted on the bulletin board at the municipal office and posted to the Utah State Website on January 18, 2018. Notice of the annual meeting schedule was published in the Standard-Examiner on December 31, 2017.

COMMISSIONERS:

Eric Thomas	Chairman	
Brandon Mason	Vice-Chairman	
Don Waite	Commissioner	
Lisa Arner	Commissioner	excused
Nicole Nancarrow	Commissioner	excused
Scott Barker	Commissioner	
Steve Prisbrey	Commissioner	

STAFF:

Rob Scott	City Planner
Brandon Bell	Associate Planner
Susan Nance	Deputy City Recorder
Justin Shinsel	Public Works Inspector

VISITORS:

Rob Voortmeyer	Shannon Bruce	Phillip Child
Tommy Webber	Pat Burns	

REGULAR MEETING

Chairman Thomas called the meeting to order at 6:31 p.m. Vice-Chairman Mason offered the invocation and Chairman Thomas led in the Pledge of Allegiance.

1. **ROLL CALL**

Chairman Thomas conducted roll call. Commissioners Arner and Nancarrow were excused.

2. **MINUTES APPROVAL**

Commissioner Prisbrey made a motion to approve the minutes of the December 6, 2017 and December 27, 2017 meeting as presented. Commissioner Waite seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice-Chairman Mason	aye
Commissioner Waite	aye
Commissioner Barker	aye
Commissioner Prisbrey	aye

The motion carried.

3. **OPENING MEETING STATEMENT**

Planning Director Scott read the opening meeting statement.

4. **EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE**

Chairman Thomas asked the Planning Commission if any members have any ex parte communications or conflicts of interest to disclose. Vice-Chairman Mason stated that he visited the Ace Hardware store as a customer, not as a Planning Commissioner, but while he was there he looked at the location where the owner desires to locate his propane tank. He also talked briefly with an employee about the matter and propane sales.

5. **PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

There were no public comments.

Vice-Chairman Mason made a motion to amend the agenda to move item 7c before 6a administrative agenda. Commissioner Prisbrey seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice-Chairman Mason	aye
Commissioner Waite	aye
Commissioner Barker	aye
Commissioner Prisbrey	aye

The motion carried.

7. LEGISLATIVE ITEMS:

c. ZTA 2018-02 Discussion on a legislative application to rename the Legacy Planned Unit Development Zone (PRUD) to the R-1-5 Zone

A staff memo from Planning Director Scott explained when the City is considering a legislative matter, the Planning Commission is acting as a recommending body to the City Council. The City has wide discretion in taking legislative action. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically, the criteria for making a decision, related to a legislative matter, require compatibility with the general plan and existing codes.

Staff has communicated with potential applicants about utilizing a similar zone to the Legacy North PRUD zone. This zone has been used primarily for single story townhomes.

General Plan Density. The General Plan designation for low density is 1-6 units per acre. The average net density for the Legacy North zone is 7 units per acre. This proposed amendment would allow for this zone to be applied throughout the city.

Road Cross Section. Another policy issue is that these developments typically have a narrower road cross section than the standard 60 feet of right of way and 36 feet of pavement width, e.g., the North Legacy Project has a 38 foot right of way with a 28-foot pavement width. Staff is working with the Public Works and the Fire District to establish an acceptable minimum. Public Works supports a minimum 48 foot right of way with a 32-foot pavement width.

There are two options on the table for applying this standard. The first option would create a right of way width for this zone, e.g., 48 feet. The second option would tie this standard to utilizing the upcoming regulations for low impact development, e.g., the pavement width could be reduced to 32 feet if the storm water runoff is reduced by 85% from the standard right of way as determined by the city engineer.

Project Size. Another policy issue is what minimum size development is appropriate, e.g., the current ordinance requires that if the PRUD option is used there is a minimum of 5

acres? If group dwellings are allowed, then they can be anywhere from 1 to 5 acres. Staff does not recommend a project below 1 acre.

In addition, Staff is recommending that several other standards be changed:

Interior lot size change from 4,578 feet to 4,600 square feet.

Minimum lot width change from 54.5 feet to 55 feet.

Front yard setback: eliminate the garage setback of 26 feet.

CONFORMANCE WITH THE GENERAL PLAN

Housing Goals

Goal #1 – Increase Housing Quality and Variety

- Establish and adhere to high quality building and design standards for all housing types so that development enhances the community character.

Strategies

- Proactively evaluate current ordinances and policies to determine whether there are obstacles that can be removed or modified to achieve the community's housing goals.
- Create design standards to improve the overall quality of North Ogden's housing.
- Work with homeowners, landlords, and renters to maintain and improve existing properties.

The memo offered the following summary of potential Land Use Authority considerations:

- Should the Legacy North PRUD zone transition to the Residential R-1-5 zone?
- What street cross section standards should be applied?
- Should group dwellings be added as a use in this zone?
- Are the other recommended standard changes acceptable?
- Is the amendment consistent with the General Plan? Is the 7 units per acre density acceptable?

The memo concluded staff recommends that the Planning Commission discuss the merits of this amendment, give direction on the R-1-5 zone standards, and set a public hearing.

Mr. Scott reviewed his memo.

Commissioner Waite stated that Legacy North is a private development with private streets, but according to this recommendation, this zone classification would apply to private developments, but with public streets. Mr. Scott stated that is correct and it does not make sense to classify a street as private when all streets are required to meet public standards. Commissioner Prsbrey stated that it seems the streets in Legacy North are narrower and that was likely the impetus for requiring private streets to conform with public street standards.

Chairman Thomas asked if this change is being recommended to provide for a zoning classification between the R-4 and R-1-8 zones. Mr. Scott answered yes. He feels there is an appropriate application for this types of zone; the Legacy PRUD has been popular and successful. Chairman Thomas stated he is comfortable with that explanation, so long as the City is not considering assuming responsibility for streets that were previously classified as private.

Commissioner Prisbrey asked if the right-of-way width recommended in the staff memo is adequate to provide for sidewalks. Mr. Scott answered yes; the 48-foot right-of-way width will allow for sidewalks on both sides of the street.

Building Official Shinsel stated that he has performed measurements in the Legacy North subdivision to determine the appropriate right-of-way width for this recommended zoning classification to allow for curb and gutter, sidewalks, and potential on-street parking on one side of the road. It will also provide substantial room for adequate spacing between all utility infrastructure that will be placed below the road surface.

Chairman Thomas invited input from the petitioner.

Pat Burns, 1407 N. Mountain Road, stated that he feels the justification for the creation of this zone relates to the current real estate market and the price of building lots; smaller lots are much more affordable to home buyers. If developers are required to subdivide their properties into larger parcels, they much charge more for those lots and that is not an option for most homebuyers. He stated that he likes the Legacy North development and wants to build something similar; he will also create a homeowner's association (HOA) to maintain the development and ensure it will be well taken care of.

Commissioner Barker inquired as to the location of the property Mr. Burns would like to assign the zoning to. Mr. Burns stated that it is on 950 East at approximately 2700 North, almost directly across from Rice Creek subdivision. It is approximately 7.5 acres in size.

Vice-Chairman Mason asked Mr. Burns if he is seeking a density of seven lots per acre. Mr. Burns answered yes and noted each of the lots is at least 46,000 square feet, but most are significantly larger. Vice-Chairman Thomas stated he is trying to visualize seven lots per acre. Mr. Scott stated that is the same density as Legacy North.

Mr. Scott stated he has provided the Commission with a draft ordinance and he facilitated high level discussion regarding the appropriate components of the ordinance. The Commission expressed concern about in the increase of higher density projects throughout the City, specifically where high density may not be compatible with its surroundings. Vice-Chairman Mason stated he would not consider the density to be low density, but it may be medium density. Mr. Scott indicated he will use the feedback from the Commission to update the draft ordinance before it is presented to the Commission for public hearing and consideration.

Chairman Thomas stated it is important for the Commission to understand that the zoning that is being discussed is the same as would be allowed in a PRUD development in the City. The benefit of considering creation of the zone would be that applying the zone to a given property would not be as cumbersome for the applicant or the City because development standards would already be defined and it would not be necessary to create a new set of standards for each PRUD development. Vice-Chairman Mason stated that his concern is not the zone itself, but rather creating a broader opportunity for a developer to secure higher density zoning. Chairman Thomas stated that one thing he likes about the proposed zone is that it provides a density between two other maximum densities in other zones that already exist in the City. He added he feels the lot sizes allowed in this zone are attractive at this time and will increase in attractiveness as property values continue to increase and it becomes more and more difficult for people to find affordable housing.

Mr. Scott asked for direction from the Commission regarding the minimum lot size for the zone. The Commission ultimately concluded they were comfortable with the seven lot per acre density. Mr. Scott asked if they were comfortable with 20-foot setbacks, to which the Commission answered yes. Mr. Scott indicated he will use the feedback from the Commission to update the draft ordinance before it is presented to the Commission for public hearing and consideration. He noted that the Planning Commission has been invited to participate in a joint work session with the City Council on February 6 and he was planning to include this item for discussion among the two bodies, unless the Commission is not comfortable with that. The Commission stated they are comfortable engaging in discussion with the Council regarding the potential creation of this new zone.

6. **ADMINISTRATIVE AGENDA:**

a. **SPR 2018-01 Consideration and action on a Site Plan approval of a propane tank at the Ace Hardware, located at 2556 North Washington Boulevard**

A staff memo from Planning Director Scott explained when the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are conditional use permits, design reviews, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

The applicant has submitted an application for a propane tank at 2556 North Washington Boulevard. The City Council recently approved a propane tank use amendment. (See Exhibit A)

The Planning Commission will be considering how this proposal meets the North Ogden City Zoning Ordinance:

11-8B (COMMERCIAL ZONE CP-2)

Staff comment: Propane tanks are a permitted as an accessory use in the CP-2 zone.

11-10-27 (SITE PLAN APPROVAL REQUIRED)

1. A site plan shall be submitted to the planning commission which shows the location of main and accessory buildings on the site and in relation to one another, the traffic circulation features within the site, the height, bulk and character of building, the provision for off street parking space, the provision of driveways for ingress and egress, the provision for other open space on the site and the display of signs. Each of the foregoing features shall be in accordance with the site plan (or subsequent amendment thereof) of the proposed development approved by the planning commission prior to the issuance of a building permit.
2. A site plan shall include landscaping, fences and walls designed to further the purpose of the regulations for commercial, manufacturing and multiple housing zones, and such features shall be provided and maintained as a condition of the establishment and the maintenance of any use to which they are appurtenant. The site plan shall include a comprehensive sign plan in accordance to CCNO 11-22-5 of this title.
3. In considering any site plan, the planning commission shall endeavor to assure safety and convenience of traffic movement, both within the area covered and in relation to access streets, harmonious and beneficial relation among the buildings and uses in the area covered, and satisfactory harmonious relation between such area and contiguous land and buildings and adjacent neighborhoods, and that the requirements of this title have been met.
4. In approving site plans, the planning commission may act on a site plan submitted to it or may act on its own initiative in proposing and approving a site plan, including any conditions or requirements designated or specified therein or in connection therewith.

Staff comment: The propane tank site plan is required to be reviewed by the Planning Commission. The site plan and other pertinent information are attached. (See Exhibits, B, C, D, E, & F)

11-8A-7 USES

	C-1	C-2
	N	P
Propane retail sales as an accessory use		
a. Subject 11-10-27 Site Plan Review		
b. Tank located outside of any required setback be located in side or rear yards, however, the Planning Commission may approve a front yard location for a 500-gallon tank if sufficient landscape screening is provided around the tank.		
c. Horizontal tank maximum 16 feet in length; vertical tank maximum 12 feet in length.		
d. Not exceed a volume of 500 gallons.		
e. Be limited to one tank per site.		
f. No signage is allowed on the tank except for required safety signs and the word "Propane" on two sides of the tank with a maximum		

size of 6 square feet per word.		
g. The tank color will comply with 11-8D-3(C), 2 colors and materials.		

Staff comment: The applicant is requesting a 500-gallon vertical tank (9 feet in height) to be located in the front yard area of the Ace Hardware store. This is allowed with appropriate landscape screening. Attached is the approved Ace Hardware landscape plan (Exhibit B), an approved landscape plan insert (Exhibit C); site plan (Exhibit D); applicant landscape plan (Exhibit E); fence detail (Exhibit F), and color design (Exhibit G).

11-8D (DESIGN STANDARDS FOR COMMERCIAL DEVELOPMENT) C. COLORS AND MATERIALS:

Staff comment: The propane tank is going to be a tan color. This meets the ordinance color standard. (See Exhibit G)

LANDSCAPING

Tank located outside of any required setback be located in side or rear yards, however, the planning commission may approve a front yard location for a 500 gallon tank if sufficient landscape screening is provided around the tank.

Staff comment: The Planning Commission must find that there is a sufficient landscape screen around the tank. The landscape plan shows a design for the north and east sides of the tank location. The west side area between the bollards will be left open to access the propane tank. The other three sides are proposed to have a fence option, a galvanized steel treatment between the bollards that will have the same tan paint color as the tank. (See Exhibit F) Staff suggests that the fencing may only need to be on the south side of the propane pad. A wrought iron fence would be more appropriate.

CONFORMANCE WITH THE GENERAL PLAN

The General Plan map shows this area as: "Main Street Commercial. Commercial or mixed use commercial uses with a direct orientation to the street/sidewalk. These uses should have little or no setback from the public right of way." This project is consistent with that designation.

The memo offered the following summary of potential Planning Commission considerations:

- Does the proposal meet the North Ogden Zoning ordinance standards?
- Is the screening acceptable; how many sides of the tank need to be fenced?
- Is the tank and fence color appropriate?
- Is the proposal consistent with the General Plan?

The memo concluded staff recommends approval of the site plan subject to the Planning Commission determination regarding tank screening and color, and other conditions in the staff report.

Mr. Scott reviewed his staff memo and presented the site plan to the Commission to identify the tank location, design/color scheme of the tank, landscaping plans, the placement of bollards, and the manner in which propane will be dispensed.

Chairman Thomas invited input from the applicant.

Shannon Bruce, Suburban Propane, further reviewed the landscape plan for the area around the location that the owner of Ace Hardware desires to place the tank. He stated the owner would prefer to use quality landscaping to screen the tank rather than to use any type of fencing material at the site. He stated that the tank has been designed to match the aesthetics of the building and the landscape will be very classy and contribute to the appearance of the store.

Phillip Child, 1353 E. 450 N., stated he is the owner of Ace Hardware and he agreed with Mr. Bruce's comments regarding the fact that using landscape as a screen around the tank will be adequate and requiring fencing would create a more industrial look at the site.

Chairman Thomas stated he agrees that the landscape screen will be sufficient and will contribute to the pleasing appearance of the store. He suggested that the Commission consider a condition of approval that landscaping be allowed for the tank screen so long as the applicant maintains shrubs that are at least two feet in height. Mr. Child stated he would be comfortable meeting that condition. Mr. Scott stated suggested that the shrubs should also be a reasonable distance from the tank to provide an adequate perimeter around the shrub to allow for survival. Mr. Bruce stated that he feels that a two-foot distance between the shrubs and the tank would be ideal and that a two to three-foot shrub height should be tall enough to screen the bollards. Mr. Scott stated that he has conferred with a landscape architect who has recommended a three-foot distance between the tank and the shrubs to ensure the best chances for survival.

Vice-Chairman Mason asked if the bollards will be yellow, to which Mr. Bruce answered yes. Vice-Chairman Mason then stated that he likes the design that has been identified on the site plan.

The Commission then engaged in high level discussion and debate regarding the appropriate distance for the landscape screen from the tank. Mr. Bruce stated that any placement of certain types of landscape materials, such as grasses that have the potential of drying out in the winter months, must receive the approval of the Fire Marshall. Mr. Scott stated that is correct. He briefly reviewed the process staff will follow to formalize the approval of the site plan; the applicant will submit their plan to the Fire Marshall and then to the City. Staff will ensure that the suggested species to be used in the landscape screen is appropriate and has a high likelihood of survival.

Commissioner Waite made a motion to approve the Site Plan of a propane tank at the Ace Hardware store based on the findings and subject to the conditions listed in the staff report, and with the following condition:

- Placement of vegetative screen on the east and south sides of the tank with a minimum height of two feet and no less than a two-foot distance between the vegetative screen and the tank so long as that distance is sufficient to allow for survivability of the plants; and
- Color scheme for tank shall be as identified on the renderings presented by the applicant.

Commissioner Barker seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice-Chairman Mason	aye
Commissioner Waite	aye
Commissioner Barker	aye
Commissioner Prisbrey	aye

The motion carried.

7. LEGISLATIVE ITEMS:

a. ZTA 2014-09 Public Hearing regarding an amendment to Title 12, Subdivision Regulations to establish standards for Parcel Boundary Line Adjustments

A staff memo from Planning Director Scott explained when the City is considering a legislative matter, the Planning Commission is acting as a recommending body to the City Council. The City has wide discretion in taking legislative action. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically, the criteria for making a decision, related to a legislative matter, require compatibility with the general plan and existing codes.

On January 3, 2018 the Planning Commission discussed provisions for a parcel boundary line adjustment amendment and requested that a public hearing be scheduled.

North Ogden City has provisions for lot line adjustments as part of the subdivision process. The City also processes boundary line adjustments for parcels outside of subdivisions under state code provisions. State law allows both lot line adjustments or a boundary line adjustments in lieu of going through a complete subdivision process, however, North Ogden's subdivision ordinance does not identify local standards for boundary line adjustments. The purpose of this discussion is to identify local standards for boundary line adjustments.

The following State codes for lot line adjustments, parcel boundary line adjustments, and subdivisions are below:

10-9a-103. Definitions.

(33) "Lot line adjustment" means the relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record.

(39) "Parcel boundary adjustment" means a recorded agreement between owners of adjoining properties adjusting their mutual boundary if:

- (a) no additional parcel is created; and
- (b) each property identified in the agreement is un-subdivided land, including a remainder of subdivided land.

State code also provides that some adjustments may be allowed if city ordinances provide for these adjustments. They are contained in the definition of a subdivision where 5 exceptions are made; 4 of the exceptions require a city ordinance.

The definition of a subdivision is below:

(57)

(a) "Subdivision" means any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

(b) "Subdivision" includes:

- (i) the division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument; and
- (ii) except as provided in Subsection (52)(c), divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

(c) "Subdivision" does not include:

- (i) Bona fide division or partition of agricultural land / subject to local regulations
- (ii) Adjoining unsubdivided properties / no new lot created / subject to local regulations
- (iii) Combine two parcels into one parcel or a subdivided parcel with an undivided parcel / subject to local regulations
- (iv) Combine two subdivided lots / no new dwelling lot created / subject to local regulations
- (v) A bona fide division or partition of land in anticipation of further land use approvals / subject to local regulations
- (vi) A parcel boundary adjustment is allowed if two parcels of record make adjustments to their boundaries.

(d) The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision under this Subsection (57) as to the unsubdivided parcel of property or subject the unsubdivided parcel to the municipality's subdivision ordinance.

Staff Comment: North Ogden City has interpreted these provisions relating to lot line and boundary line adjustments as follows:

- Lot line adjustments between lots in a subdivision. Changes to lot lines in a subdivision require a subdivision amendment.
- Parcel boundary line adjustments. Changes to parcel lines where no additional parcels are created and the parcels were in existence prior to December 31, 2000 are allowed to be combined or reconfigured. They are approved by the planning commission.
- Subdivision lot combined with a parcel. Changes where a subdivision lot is combined with a parcel are treated as a subdivision amendment.

Staff has researched other cities ordinances regarding boundary line adjustments. Based upon the Logan City ordinance; staff has prepared a draft ordinance.

The following is a summary of the amendment provisions:

- Purpose. A purpose statement is included.
- Application and Approval Authority. Adjoining property owners may submit an application for a boundary line adjustment. The Planning Director is designated as the land use authority.
- Approval Criteria. There are six approval criteria.
 - No new lot or parcel is created.
 - Does not impact a recorded subdivision.
 - Parcels meet zoning area and frontage requirements.
 - No nonconforming structures are created.
 - Property owner signatures are required.
 - Subject to 11-10-2, each parcel must have been in existence prior to December 31, 2000.
 - If the boundary lines cross a special service district boundary then the service district boundary is required to be adjusted to either annex or de-annex the parcel.
- Approval Process. This section identifies the approval process including an application completeness check, optional review by the Technical Review Committee, and required notice of decision.
- Recordation of Approved Boundary Line Adjustment. The applicant is responsible for recording the appropriate documents.
- Plat May Be Required. If there is a need to dedicate right of way then a plat is required.
- Special Service District boundaries must be adjusted as part of the boundary line adjustment approval process.
- Expiration. Boundary line adjustment documents have ninety days to be recorded or they expire.

An additional issue is presented. Should there be a requirement to install public improvements as part of a boundary line adjustment. Cities are required to have a justification / nexus between the required improvement and the impact from the

development before making these requirements. Simply adjusting a parcel boundary will be difficult to justify that an impact is being created to require improvements; however, a requirement for a deferral agreement may be in order.

CONFORMANCE TO THE GENERAL PLAN:

The applicable goals from the General Plan are:

Housing Goals

Goal #1 – Increase Housing Quality and Variety

- Establish and adhere to high quality building and design standards for all housing types so that development enhances the community character.

Strategies

- Proactively evaluate current ordinances and policies to determine whether there are obstacles that can be removed or modified to achieve the community's housing goals.
- Create design standards to improve the overall quality of North Ogden's housing.
- Work with homeowners, landlords, and renters to maintain and improve existing properties.

The memo offered the following summary of land use authority considerations:

- Is the proposed amendment establishing standards for parcel boundary line adjustments appropriate?
- Should there be a requirement for an infrastructure deferral?
- Does the General Plan support these amendments?

The memo concluded staff recommends conducting the public hearing and forwarding a recommendation to the City Council.

Mr. Scott reviewed his memo.

Chairman Thomas opened the public hearing at 8:07 p.m. There were no persons appearing to be heard.

Commissioner Barker made a motion to close the public hearing. Vice Chairman Mason seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice-Chairman Mason	aye
Commissioner Waite	aye
Commissioner Barker	aye
Commissioner Prisbrey	aye

The motion carried.

b. ZTA 2014-09 Consideration and recommendation regarding an amendment to Title 12, Subdivision Regulations to establish standards for Parcel Boundary Line Adjustments

Commissioner Barker moved to forward a positive recommendation to the City Council regarding application ZTA 2014-09, amendments to Title 12, Subdivision Regulations to establish standards for Parcel Boundary Line Adjustments. Commissioner Waite seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice-Chairman Mason	aye
Commissioner Waite	aye
Commissioner Barker	aye
Commissioner Prisbrey	aye

The motion carried.

****The meeting recessed briefly at 8:10 p.m. and reconvened at 8:15 p.m.****

d. Discussion of Form Based Code

Associate Planner Bell revisited the matter of building types allowed in the Central Market Subdistrict section of the Form Based Code. During a recent discussion of this section, the Planning Commission indicated they would like to allow residential uses in the Subdistrict, but upon further review by staff it was discovered that just three building types are currently allowed and it is necessary to ensure there is a distinct character from one zone to another and that uses within the same district are compatible. The storefront, midscale shop, and civil building types are allowed in the Subdistrict and he encouraged the Council to determine whether residential uses are appropriate and how that would impact the design of any of the building types. Chairman Thomas stated he feels that allowing a residential use in each of the building types could be appropriate and may just result in increasing the building height by one story. Commissioner Waite stated that if the vision for the Central Market Subdistrict is that it should be strictly a commercial zone and the only area of the City where residential uses are not allowed, then that should be preserved within the Form Based Code. Mr. Bell stated it is correct that the Commission should determine the vision of the Subdistrict and he is not sure that the building types currently slated for inclusion in the Subdistrict would be compatible with residential uses. This led to high level discussion and debate among the Commission regarding whether residential uses should be permitted in the Central Market Subdistrict on a story of a building above the ground level and permitting the general stoop building

type in the Subdistrict. They ultimately concluded to allow the general stoop building type in the Subdistrict and to allow residential uses in that building type and in the store front building type so long as the residential use is above the ground level.

Mr. Bell then facilitated general review of the building types section of the Form Based Code with a focus on adjustments to language in the document that have been made since the Commission's last review. He also reviewed the section of the Code regarding Subdistricts and there was a focus on the appropriate building types to be allowed in each of the various Subdistricts.

Mr. Bell then moved on to review Section 11-8F-4 of the document relating to uses. He oriented the Commission to the language changes that have been made (highlighted in different colored fonts) since the body's last review of the document. There was a brief focus on building configuration and orientation for certain building types.

Commissioner Waite inquired as to the total number of chapters left for staff to present to the Commission, to which Mr. Bell answered two or three.

8. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA:

There were no public comments.

9. REMARKS FROM PLANNING COMMISSIONERS

Commissioner Barker referenced the trash enclosures on the rear of the Ace Hardware store and stated that he does not believe they have been conform to what was approved by the Planning Commission. Chairman Thomas agreed and asked that staff look into the matter.

Vice-Chairman Mason referenced the popularity of the pickleball courts in Pleasant View City.

10. REPORT OF CITY PLANNER

Mr. Scott discussed upcoming training opportunities available to the Planning Commission, after which he provided a report of the recent actions of the City Council. He again reminded the body of the joint work session with the City Council scheduled for February 6 and he briefly reviewed the items that will be listed on the agenda for that meeting.

Mr. Bell reported City staff has recently approved a number of minor subdivisions and he will provide the Commission with information regarding the location and scope of each of the projects.

11. REMARKS FROM CITY ATTORNEY

The City Attorney was not present

12. ADJOURNMENT

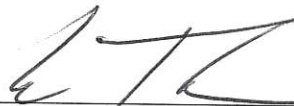
Vice-Chairman Mason made a motion to adjourn, Commissioner Prisbrey seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice-Chairman Mason	aye
Commissioner Waite	aye
Commissioner Barker	aye
Commissioner Prisbrey	aye

The motion carried.

The meeting adjourned at 9:00 pm



Planning Commission Chair



Administrative Assistant

2/21/18

Date approved