

**PAYSON CITY PLANNING COMMISSION
MEETING MINUTES
January 8, 2014**

REGULAR SESSION – CITY COUNCIL CHAMBERS

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Chairman John Cowan; Commissioners Blair Warner, Todd Cannon, Ted Fitzgerald, Rob Baird, Harold Nichols; City Councilmen Kim Hancock and Mike Hardy; Planner Jill Spencer; Zoning Administrator Jon Lundell; George Van Nosdol excused.

INVOCATION: Commissioner Warner

PUBLIC FORUM

Councilman Hancock Aquifer recharge study presentation will be held on January 16, 2014 and planning commission is invited. It is being held at the Salem City offices.

Introduction of Zoning Administrator Jon Lundell.

CONSENT AGENDA

- Approval of minutes for the regular meeting of October 23, 2013

Motion** by Commissioner Warner to approve the minutes from October 23, 2013. **Seconded by** Commissioner Cannon. **Motion Carried.

- RESOLUTION – Establishing the dates and time for the regular Planning Commission meetings in 2014.

Motion** by Commissioner Fitzgerald to continue to planning commission meetings on the 2nd and 4th Wednesday of each month at 7:00 pm in the city council chambers. **Seconded by** Commissioner Harold. **Motion Carried.

REVIEW ITEMS

PUBLIC HEARING –

PROPOSED AMENDMENTS TO THE TITLE 19, ZONING ORDINANCE AND TITLE 20, SUBDIVISION ORDINANCE.

Motion** by Commissioner Fitzgerald to open public hearing. **Seconded by** Commissioner Cannon. **Motion carried.

Planner Spencer presented the following changes to Title 19, zoning ordinance and Title 20, Subdivision ordinance.

1. Section 19.6.4, Pages 21-22, and 25 – Staff is proposing the following amendments to the A-5, Agriculture Zone:
 - a. Changes to the permitted, conditional, and accessory uses.
 - b. Inclusion of subdivision references.
 - c. Modification of residential facilities for the elderly or persons with a disability.
 - d. Providing a reference to the Utah Division of Water Rights.
2. Section 19.6.5, Page 26 – Staff is proposing modifications to the permitted and conditional uses of the R-1-A, Residential-Agriculture Zone.

3. Staff is proposing to repeal Sections 19.6.6 through 19.6.10 and replace these sections with a new Section 19.6.6 that will accomplish the following:
 - a. Consolidate the requirements of the conventional residential zoning districts.
 - b. Create two (2) new residential zoning districts: R-1-20 and R-1-15.
 - c. Complete other minor modifications to the allowable uses in the residential zones.
4. Sections 19.6.11, 19.6.12, 19.6.13, and 19.6.14, Pages 50, 54, 57, and 61 – Staff is proposing minor reference changes to residential facilities for the elderly and persons with a disability to be consistent with State Code.
5. Section 19.9.5.1, Pages 167-168 – It is proposed that the clear view area regulations be modified to further clarify the minimum acceptable vision clearance standards at intersections.
6. Section 19.15.6.2, Page 204 – Staff is suggesting to remove the option to increase the height of a freestanding sign until a Corridor Enhancement Program has been defined and implemented.
7. Chapter 19.23, Pages 226-227, and 230 – To ensure compliance with Utah Code and federal fair housing laws, staff is proposing amendments to the regulations for residential facilities for the elderly and persons with a disability. Furthermore, staff is proposing to remove skilled nursing centers as a permitted use in the I-1, Light Industrial Zone.
8. Chapter 19.28, Pages 247-259 – Numerous changes are proposed to the definition chapter of the Zoning Ordinance. Therefore, staff is proposing the City Council repeal Chapter 19.28 and to readopt a new Chapter 19.28.

Appendix A, Non-Residential Land Use Categories

1. It is proposed that the City Council expand the allowable agricultural related activities in the A-5, Agriculture Zone.
2. Staff is proposing to restrict outdoor storage and display areas for secondhand merchants.

Title 20, Subdivision Ordinance

Staff is proposing to amend Chapter 20.10, Planned Residential Developments to contemplate the new R-1-20 and R-1-15 residential zones.

Commissioner Warner expressed concern regarding the restriction of secondary dwelling units on the property and how it would inhibit high end homes.

Planner Spencer stated that casitas are allowed within the ordinance. A casita is an attached apartment that does not have kitchen, a second garage and second entrance. The problem comes when it becomes a completely separate dwelling. She said a study had been held regarding possible locations for luxury homes and that it may be a possibility to allow these types of dwellings to be determined geographically.

Commissioner Warner also stated that it may be a conditional use as well.

Motion by Commissioner Fitzgerald to close the public hearing. Seconded by Commissioner Warner. Motion carried

Motion by Commissioner Fitzgerald for recommendation to City council to accept the proposed ordinance changes as prepared subject to legal review on sections that staff has noted and reviewing the definition of abandoned and changing multiple family to multifamily. Seconded by Commissioner Baird. Motion Carries

Motion by Commissioner Fitzgerald to recommend to staff that the proposed changes to Title 20 subdivision ordinance be taken to City Council at the same time as Title 19 Zoning Ordinance. Seconded by Commissioner Baird. Motion carries.

REVIEW AND RECOMMENDATION REGARDING A REQUEST TO CONSTRUCT A PUMP STATION NEAR THE LOWER PRESSURIZED IRRIGATION POND LOCATED APPROXIMATELY 1100 SOUTH CANYON ROAD.

Planner Spencer presented information from the following staff report.

Background

The Payson City Water Department is proposing to construct a pump station near the lower pressurized irrigation pond to improve the overall system before the 2014 irrigation season. The pump station is proposed to be located on City-owned property located at approximately 1100 South Canyon Road in the R-1-10, Residential Zone. In accordance with Title 22, Public Facilities of the Payson City Code, the proposal must be reviewed and approved by the Planning Commission and City Council to ensure public facilities are reviewed in a manner consistent with those of private parties, and to ensure the proposal complies with local zoning regulations and the adopted building and fire codes.

Analysis

The Payson City pressurized irrigation system consists of two (2) concrete holding ponds, simply referred to as the upper pond and the lower pond. The upper pond is located adjacent to the hydroelectric plant owned by Strawberry Water Users Association in Payson Canyon and the lower pond is located near the entrance of Payson Canyon at approximately 1100 South Canyon Road. The lower pond is located immediately adjacent to the High Line Canal, a facility that delivers irrigation water from Strawberry Reservoir to parcels within the Strawberry Valley Project Area. Because several parcels within the City boundaries are eligible to utilize Strawberry Water, the City's pressurized irrigation system is supplemented with the irrigation water delivered through the High Line Canal. As currently designed and operated, the use of Strawberry Water in the City's pressurized irrigation system is limited to the system's lower zone because of the location of the existing facilities (pond and canal). Staff is proposing to install a pump station near the lower pond to pump the water captured in the lower pond (i.e. Strawberry Water) to the upper pond in Payson Canyon. This would allow the City to better facilitate the delivery of irrigation water to all parcels, not just those in the lower zone.

It is proposed that the structure be placed west of the concrete pond within the fenced area. The structure will be constructed of standard smooth face block with a design band constructed of split face block with a color scheme to be determined by the City Council.

Staff has reviewed the request and determined that the structure is consistent with the development ordinances in terms of height, size, color and materials, etc. However, staff has identified the following items that will need to be completed prior to or during the construction phase:

1. A building permit will need to be obtained prior to the commencement of any construction. The proposed improvements will need to satisfy all building and fire codes adopted by Payson City.
2. The Water Department will need to coordinate with the Facilities Manager to ensure the building materials (i.e. doors, roofing system) are consistent with city standards and specifications.
3. Following approval by the City Council, and prior to the commencement of any construction, a preconstruction meeting will need to be completed. At that meeting, all construction issues and timeframes will be discussed.

These items represent the items City staff has identified following a review of the plans for the proposed pump station for the pressurized irrigation system. The staff, Planning Commission or City Council may require additional information in order to make a well-informed decision.

Recommendation

The Water Department is seeking approval to construct a pump station near the lower pressurized irrigation pond located at approximately 1100 South Canyon Road. The Planning Commission has several options including the following:

1. The Planning Commission may remand the application for the proposed building back to staff for further review if it is determined that there is not enough information provided in order for the Planning Commission to formulate a well-informed recommendation.

2. The Planning Commission may recommend approval of the construction, as proposed. If the Planning Commission chooses to recommend approval of the elevator project as proposed, staff would suggest that an opportunity to require the Water Department to satisfy the development ordinances of Payson City will be missed. Furthermore, staff would suggest that without the inclusion of the conditions proposed in the staff report, there are issues in the development ordinances of Payson City that have not been satisfied by the Water Department.
3. The Planning Commission may choose to recommend approval of the proposed project with the conditions proposed by staff or with additional or fewer conditions. Staff would suggest that with satisfaction of appropriate conditions, the requirements of the development ordinances of Payson City can be satisfied and proper construction of the facility will occur.
4. The Planning Commission may choose to recommend denial of the proposed facility. This action should be taken if the Planning Commission determines that the Water Department is unable or unwilling to satisfy the development ordinances of the City.

The Planning Commission should include findings that indicate reasonable conclusions for their recommendation.

Commissioner Warner asked if the pipe that carries the water from the lower pond to the upper pond already exists.

Commissioner Fitzgerald concerned with tying into the existing line and whether it can handle to additional pressure to pump the water to the upper pond.

Planner Spencer stated that the engineering department said that it could handle the pressure.

Commissioner Baird expressed concern with the lack of a pressurized irrigation system to some parts of the city and if the city wants to have a sole source or continuing to maintain a secondary source.

Commissioner Fitzgerald stated that a study is underway for a new reservoir to allow an expanded service for the pressurized irrigation system.

Planner Spencer stated direction would need to be given from the city council on how to proceed. She said that it would be possible to have any new development install dry lines to allow for the possibility of extending pressurized irrigation services once more infrastructure was in place.

***Motion** by Commissioner Rob recommendation to city council to follow staff recommendations to move forward with pump station with the conditions recommended by staff finding this will help the city address some of the water issues that have been experienced in the past. Seconded by Commissioner Fitzgerald. Motion carried*

COMMISSION AND STAFF REPORTS

Planner Spencer stated that the next meeting may not be conducted due to a lack of items on the agenda.

Commissioner Cowan expressed a concern about the aesthetics of the freeway exits.

Planner Spencer stated that the city had some transportation funds but those funds were applied to other transportation projects.

Commissioner Baird expressed concern about the perception that Payson City is a community that is not business friendly because cost to develop here are so high when it comes to impact fees.

Planner Spencer stated that the city council recognized the need to reevaluate the current impact fees and stated that there is a study underway to determine what changes would need to be made to the current impact fees.

***Motion** by Commissioner Warner to adjourn.*

Meeting adjourned at 8:45 pm