

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
SEPTEMBER 21, 2023

The City Council of Plain City convened in a regular meeting at City Hall, 4160 W 2200 N in Plain City, on Thursday, September 21, 2023 also accessible via ZOOM beginning at 6:30 p.m.

Present: Mayor Jon Beesley, Councilmembers Jed Jenkins, Rachael Beal, and Luigi Panunzio
Excused: Councilmember Buddy Sadler
Zoom: Councilmember Todd Skeen
Staff: Tammy Folkman, Brandon Richards
Present: Shad Christensen, Tim and Hannah Rusch, Shane & Sheila Rusch, Shawna Faulkner, Eric Hazen
Zoom: Dan Schuler, Adams Family, Jim Beesley

Call to Order: Mayor Beesley
Pledge of Allegiance: Councilmember Panunzio
Invocation/Moment of Silence: Councilmember Jenkins

The Mayor excused Councilmember Sadler.

Approval of Minutes from August 17, 2023

Councilmember Jenkins moved to approve the minutes from August 17, 2023. Councilmember Panunzio seconded the motion. Councilmembers Jenkins, Beal, Panunzio and Skeen voted aye. The motion carried.

Comments: Public
No public comments.

Report from Planning Commission

Shawna Faulkner noted that there have been two Planning Commission meetings since the City Council last met. They have recommended approval of Robson Farms Phase 4. She wanted to make sure that lots 21 and 22 had 100 feet of frontage. She thought Shad was going to update the plat before the City Council meeting. She also noted that they have recommended approval of Fremont Meadows Phase 2 with 11 lots. The Mayor noted that he plat shows 12 lots. Shawna will double check it. Shawna reported that they have made a clarification to the ordinance concerning the height of a building. She noted that they are recommending it be measured at the peak. The Mayor asked them to look at where they measure from at the base, maybe at the top back of curb. She will look into that. They are having a public hearing on October 12. Shawna mentioned that they have had long discussions on the housing development for the General Plan. Bruce Parker has given a lot of statistics but Shawna just wants to make sure we get what we want Plain City to look like. She noted that there is a public hearing on this on September 28. The eight strategies are listed and Shawna noted that she doesn't love them all but she wants the public to give feedback. She noted that they will not make a motion after the public hearing and that they will keep the comment period open in order to gather the feedback. Shawna reported that there is a change on the DADU ordinance that wasn't included when the council approved the ordinance. The Mayor noted that it is on the agenda tonight and asked her to clarify that we are changing it from minimum of 50% in the rear yard to a minimum of 25% in the rear yard. Shawna reported that it is correct and they felt that the DADU should be pushed up so there is more area in the rear yards. The Mayor asked Shawna to look over the Freedom Meadows Phase 2 plat to make sure it is 12 lots.

Discussion/Motion: Final Approval – Robson Farms Phase 4 – approx. 2200 N 3600 W – 4 lots

This is 4 lots on 3600 W. The Mayor asked about lot 23. One side is 87.60 feet but the other is 135 feet. Shad Christensen noted that it is radius and does meet the 100'. Shad noted that lots 21 and 22 have been corrected to have 100 feet of frontage. **Councilmember Jenkins moved to give final approval of Robson Farms Phase 4. Councilmember Panunzio seconded the motion. Councilmembers Jenkins, Beal, Panunzio and Skeen voted aye. The motion carried.**

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Discussion/Motion: Ordinance - Amend Ordinance 2023-14 to Amend Zoning Ordinance Related to Detached Accessory Dwelling Units

The original draft of the ordinance didn't include the Planning Commission change to developments standards item #5 changing from 50% to 25% in the rear yard. There was a lengthy discussion about making the setbacks for the DADU the same as an accessory building. It was also brought up to change the minimum separation from the house from 14' to 10'. **Councilmember Jenkins moved to approve the changes to the DADU ordinance that include changing the minimum of 25% of DADU be in the rear yard; the rear, side and corner lot setback to be the same as an accessory building; and the minimum separation from the primary dwelling to 10 feet.** **Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Panunzio and Skeen voted aye. The motion carried.**

Discussion/Motion: Final Approval – Fremont Meadows Phase 2 – approx. 1900 N 4475 W – 12 lots
It was clarified that there is an existing home and 11 new lots. **Councilmember Jenkins moved to give final approval of Fremont Meadows Phase 2 as presented. Councilmember Panunzio seconded the motion. Councilmembers Jenkins, Beal, Panunzio and Skeen voted aye. The motion carried.**

Discussion/Motion: Conditional Final Acceptance – Sunset Meadows Phase 2 and 3
Councilmember Jenkins moved to give conditional final acceptance to Sunset Meadows Phase 2 and 3. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Panunzio and Skeen voted aye. The motion carried.

Motion: Approval of Business License

New

Impactful Vending LLC	Kylene Brooks	2586 N 3350 W	managing vending machines
Radiant Massage & Bodywork	Sarah Winder	2396 N 4350 W	massage therapy
Reliance Electrical Solutions	Jaime Loreda	2982 W 2050 N	electrical contractor
QBM Services LLC	Reece Elmer	2396 N 4350 W	janitorial services

Councilmember Beal moved to approve the business licenses as presented. Councilmember Skeen seconded the motion. Councilmembers Jenkins, Beal, Panunzio and Skeen voted aye. The motion carried.

Motion: Approval of Warrant Register

See warrant register dated 08/17/2023 to 08/31/2023 and 09/01/2023 to 09/18/2023. Councilmember Jenkins inquired about the C&B Striping bill and Dan explained. **Councilmember Beal moved to approve and pay the bills as presented. Councilmember Skeen seconded the motion. Councilmembers Jenkins, Beal, Panunzio and Skeen voted aye. The motion carried.** Brandon Richards talked about prosecutor items.

Report from City Council

Councilmember Beal asked about the crack in the middle of the newly laid seal coat. Dan noted that it is correct. She noted that some bus drivers are concerned about people passing them when they have their lights on and sign out. The Mayor will let the Sheriff's Office know. Councilmember Beal invited everyone to the public hearing on the General Plan Housing Element on September 28.

Councilmember Skeen appreciates the Zoom option.

Mayor Beesley reported that the Blossom Angus Tournament is next Friday and Saturday. Games will begin after 5 pm on Friday until around 10 or 11 and then be all day on Saturday. He invited everyone to come out. The Mayor thanked the staff for all they do for the City.

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At 7:05 p.m. Councilmember Beal moved to adjourn and was seconded by Councilmember Jenkins. The vote was unanimous.

DRAFT

City Recorder

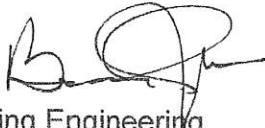
Mayor

Date approved _____



Memorandum

To: Diane Hirschi, City Recorder
Plain City Corporation

From: Brad C. Jensen, P.E. 
Wasatch Civil Consulting Engineering

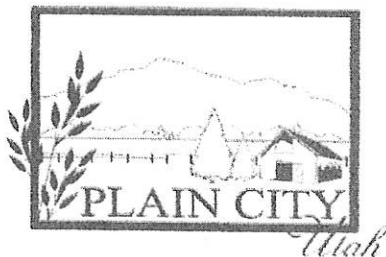
Date: August 24, 2023

Subject: **Stillcreek Village, Phases 3A and B - Conditional Final Acceptance**

We have reviewed the Conditional Final Acceptance request for Stillcreek Village Phases 3A and 3B. We concur with the recommendation submitted by Dan Schuler of Plain City Public Works dated 8/7/2023 (attached). Consequently, we recommend granting Conditional Final Acceptance to the Stillcreek Village Phases 3A and 3B.

Once Conditional Final Acceptance is granted, all the escrow funds except the funds for the pavement surface treatment (Asphalt Sealcoat) and the 10% Contingency can be released to the Developer.

If you have any questions or require additional information, feel free to contact me.



8/7/2023

RE: Conditional final

Subdivision: Still Creek Subdivision Phase 3/ A & B

Conditional final request

Developer is requesting to go into conditional final. All Items remaining on the punch list were re-inspected and 100% completed to city standards, conditional final is recommended and will be requested to Mayor and Council for approval to start the one-year warranty phase and releasing the remainder escrow amount, minus escrow for surface treatment paying contractor cost to complete plus the 10% contingency.

If you have any questions or concerns, please give me a call.

DANIEL SCHULER

Public Works Director

4160 W 2200 N

Plain City Ut 84404

385-466-1079

dans@plaincityutah.org

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of fees being paid without reaping any benefits. Councilmember Sadler stated he was not willing to “kick it down the road” any longer. Mayor Beesley mentioned he would like to see a plan in place with approval of this phase. Councilmember Panunzio agreed with Mayor Beesley. Councilmember Sadler also agreed and wanted more discussion regarding the lateral usage of the units. Mayor Beesley asked Dan Schuler about the discussion on the laterals. Dan stated approval was given for a common lateral with the understanding that the townhomes would be rentals. He also stated each unit should be individually metered if they are now being sold as private residences. He used the issue of non-payment on a single unit as an example and asked how that could be handled if individual units cannot be turned off. There was discussion regarding the separation of the water and sewer meters for each unit. Mayor Beesley stated the HOA will be paying those bills, but if the HOA goes bankrupt then the city is responsible taking care of the townhomes. Councilmember Sadler stated he did not like that set up and wants to see the water and sewer set up separately. Mayor Beesley suggested the approval be tabled for further discussion and asked Parker if that would be helpful. Parker mentioned HOA fees would be going up and the amenities would not be cheap. Mayor Beesley asked who decides the fees for the HOA. Parker said Visionary Homes is not a member of the HOA, they do not set any of the fees. He stated the HOA board along with the votes of the residents determines what fees are set. He also mentioned that the residents vote on which amenities are added to the subdivision. Mayor Beesley stated his concern is the amount of fees being paid and protecting the residents of that subdivision. **Councilmember Skeen moved to table the approval of Stillcreek Village Phase #3E. Councilmember Beal seconded the motion. Councilmembers Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.**

Discussion/Motion: Conditional Use Permit Application for Senior Housing Overlay Zone – 2800 W 2600 N – Jeff Hales
Mayor Beesley stated this particular parcel is zoned for commercial and this overlay would take up some of that area. Councilmember Sadler stated a development agreement was needed, as was mentioned during Shawna Faulkner’s report. He also asked about the road on 2575 and wanted to know why it was set as a dead-end road. Shawna was shown the issue and Councilmember Sadler suggested the permit be returned to the commission for further review and follow up on a development agreement. Dan Schuler stated there is no reason for a dead-end road. There was some discussion regarding an easement for utilities and a retention pond that will be tied into 2600. Mayor Beesley stated there will be a meeting with the State regarding the easement. Councilmember Skeen spoke about the spacing regarding the dwellings and asked if there were any issues with the minimum set at 10 feet. The spacing was discussed and there were no concerns. Tyler Nielsen with Gardner Engineering addressed the council regarding the dead-end road and stated it would give parking access. Tyler stated it would also allow for snow storage. Mayor Beesley stated if the HOA goes under, the city would own the subdivision and the dead-end street needs to meet city standards. **Councilmember Sadler moved to send the Conditional Use Permit back to the Planning Commission for further review. Councilmember Beal seconded the motion. Councilmembers Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.**

Discussion/Motion: ARPA Funds for Children’s Justice Center

Mayor Beesley praised the CJC and spoke of the necessity of their work. He feels that the city pays its fair share of taxes for centers such as this to be maintained, built etc. and believes the county should be offering the funding for the CJC. He asked the council for their opinions on the matter. Councilmember Skeen clarified that there was only one other city that was offering funding. Mayor Beesley confirmed that to be true and reminded the council that the CJC stated they would need every city’s support in order to make the new building possible. Mayor Beesley also reminded the council that the city gave over \$200,000 back to the county in ARPA funds. He mentioned the city was on the cusp of starting a huge sewer project and was in need of all the funds possible right now. Councilmember Sadler suggested bowing out since the CJC was not able to get other cities on board and said he would like to change his vote to deny funding. Councilmember Beal mentioned she struggled to pass it the first time, but believed it was worthwhile cause. She stated if it’s all or nothing, the city cannot give it all. Councilmember Panunzio declined to comment upon invitation. **Councilmember Sadler stated he would like to reverse his motion on Jan. 20, 2022 and deny the funds for the CJC. Councilmember Beal seconded the motion. Councilmembers Beal, Sadler and Skeen voted aye. Councilmember Panunzio voted nay. The motion carried.**

Discussion/Motion: Ordinance – Detached Accessory Dwelling Unit

Mayor Beesley mentioned the suggested changes were made. He stated there were two letters sent to the council regarding the disagreement of lot size allowed for the dwelling units. He asked for the council’s thoughts on the changes and the letters. Councilmember Sadler stated he was happy with the changes made. Mayor Beesley asked about consideration regarding living space in pole barns. Councilmember Sadler stated he was happy with what was already in place. Councilmember Skeen asked if notice would be required for neighbors before approval of a building permit.

PLAIN CITY COUNCIL
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JANUARY 20, 2022

The City Council of Plain City convened in a regular meeting at City Hall, 4160 W 2200 N in Plain City, on Thursday, January 20, 2022 also accessible via ZOOM beginning at 7:00 p.m.

Present: Mayor Jon Beesley, Councilmembers Jed Jenkins, Rachael Beal, Buddy Sadler, Luigi Panunzio and Todd Skeen
Staff: Diane Hirschi, Dan Schuler, Melissa Miller, Tammy Folkman, Brandon Richards
Present: Candace Baird, Robert Dodgen, James and Barb Jensen, Zanna and Lorin Child, Rod Layton, Chuck Palmer, Jim Flint, Neil and Lisa Cox, Patricia, Kerry Gibson
Also Present via Zoom: Adams Family, Debbie Robinson, Jim Beesley, Rob Ortega, Stacey Dixon, Tom Favero, Annette

Call to Order: Mayor Beesley
Pledge of Allegiance: Councilmember Beal
Invocation/Moment of Silence: Councilmember Jenkins

Approval of Minutes from January 6, 2022

Councilmember Jenkins moved to approve the minutes from January 6, 2022 as presented. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.

Comments: Public

No comments were offered.

Report from Planning Commission

Commissioner Dustin Skeen reported to the council about the last Planning Commission meeting. Shauna Faulkner is now the Chairman and Dustin Skeen is Vice-Chair. Commissioner Skeen commented on the Stillcreek Phase 3B final and recommended approval. The commission spoke with Visionary Homes regarding the entire Stillcreek project and asked them to work on an overall plan to finish the phases. Mayor Beesley spoke about meeting with Chairman Faulkner to look at that project and go over the agreement to ensure it comes to completion. Mayor Beesley spoke about the many changes to the original PRUD that was approved and stated that it might need to be reviewed again as well. Commissioner Skeen mentioned the General Plan update and accessory dwelling units that the commission is reviewing. The commission is looking at attached units. He mentioned legislation regarding affordable housing and how to make that work within our city. Councilmember Sadler asked if the commission had looked at creating affordable housing that can be deeded as affordable housing forever. Councilmember Sadler says other cities are adopting that policy and suggested the commission check into it. Mayor Beesley stated that he's seen that within some cities where a percentage of apartments are set up that way to stay in compliance or as a receipt for a tax break.

Public Hearing: Zanna Child Annexation – 1055 N 5200 W – 13.4 Acres

Councilman Sadler moved to go into a public hearing regarding the Zanna Child Annexation. Councilman Jenkins seconded the motion. Councilmembers Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.

Mayor Beesley invited Zanna Child to speak to the council regarding the annexation. Ms. Child stated she was under the impression she was part of the annexation when the properties around her were annexed last year. She was surprised when her property was not included, but is looking forward to being part of Plain City. **Councilmember Sadler moved to close the public hearing of the Zanna Child Annexation. Councilmember Skeen seconded the motion. Councilmembers Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.**

Discussion/Motion: Ordinance - Zanna Child Annexation – 1055 N 5200 W – 13.4 Acres

Councilmember Sadler moved to approve Ordinance 2022-01 annexing the Zanna Child property. Councilmember Jenkins seconded the motion. Councilmembers Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.

Discussion/Motion: Children's Justice Center

Mayor Beesley invited Rod Layton from the Children's Justice Center (CJC) to address the council. Mr. Layton explained the purpose of the CJC. They are not a non-profit organization and they are not a county organization. They work in tandem with all law enforcement agencies and attorneys to facilitate interviews, exams, mental health assessments, etc. for all children who have experienced, witnessed or been victim of a crime. Mr. Layton explained that in recent years the number of cases has grown to exceed the capacity of the facility that they are currently housed in. Because of this, their services are hindered and the need for a new building is essential. Mr. Layton explained that the building they use now is donated by a non-profit organization, and it is registered as an historic building, therefore no additions or renovations can be made to it. Mr. Layton stated that due to the pandemic, the CJC is expecting an even bigger rise in cases over the next two or three years as children return to the classroom and disclose information to trusted adults, such as a teacher or counselor. The CJC has been searching for property in order to

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build a new facility to accommodate the growth in Weber County. Mr. Layton stated the CJC went to the county commissioners and secured a commitment from them for a donation of \$1 million dollars as long as the CJC can raise \$1.5 million in donations from the cities located within Weber County. Mr. Layton has requested a donation of \$42,000 dollars from Plain City and explained the breakdown of how the CJC determined this amount. Mr. Layton stated that he believed the cities are ultimately responsible for helping to fund the CJC since these kids come back to their homes and reside within these cities. Mayor Beesley mentioned that he had not been aware of the CJC before his WACOG meeting. Mayor Beesley talked about the city contracts for policing and taxes paid to the county for this and other services. Mayor Beesley agreed with the need for a new CJC facility and understands the request for funding, but questioned whether it was the responsibility of the city versus the county. Mayor Beesley explained to the council that when he was first approached about this, he spoke with some of the county commissioners to see if they would be willing to front the donation and then enter into an interlocal agreement with Plain City to have it paid back over time. Councilmember Jenkins mentioned that it was a substantial amount of money and spoke about some of the county buildings that have been erected in recent years. He stated that they are “shrines” and appear to be expensive buildings and his concern is giving such a large amount of money when Plain City is still quite small. Mr. Layton stated he understood his concern, but explained that the CJC building must be built to accommodate certain needs and look a certain way. The children who come to the CJC are traumatized, so the building must look like “grandma’s house” to help settle the child. Mr. Layton pointed out that all children must be interviewed by the CJC under state mandate and every city within Weber County will use it. Mr. Layton stated the CJC isn’t looking to take away from city budgets, but rather ask for a portion of the ARPA funds given to each city. Mayor Beesley stated there have been years when Plain City has given back ARPA funds and is having a hard time with the funds. Councilmember Beal stated the city gives \$3000 to the Women’s Center and she would be willing to do the same amount for the CJC. Councilmember Sadler asked Mr. Layton about the unincorporated areas and the taxes being paid, which Mayor Beesley pointed out was accounted for. Councilmember Skeen asked if the state was willing to help with the cost. Mr. Layton stated the state won’t step in to help with the funds for a building, but they oversee the program and some of the CJC employees are paid out of state funds. Mr. Layton mentioned they also apply for federal grants as well. Councilmember Sadler stated tax payer money is already going to the CJC. Councilmember Beal agreed. Mayor Beesley asked the council for their thoughts about the interlocal agreement and if they enter into it, paying it back within five to ten years. The council members were in agreement with that idea. City Attorney, Brandon Richards, pointed out that the CJC is needed and used throughout the county. Mr. Layton liked the idea of the interlocal agreement as well. Councilmember Sadler suggested entering into the interlocal agreement with the intent to pay it back over three years rather than ten.

Councilmember Sadler moved to see about entering into an interlocal agreement with Weber County to pay Plain City’s portion in three to five years. Councilmember Beal seconded the motion. Councilmembers Jenkins, Beal, Sadler, Panunzio and Skeen voted aye. The motion carried.

Discussion/Motion: Stacey Dixon – Utilities Improvement Agreement for Plain City Fields Subdivision

Mayor Beesley stated there were some concerns about the timeframe of this subdivision regarding people and developers coming back to the city to request compensation for infrastructure. Brandon Richards spoke about the Skeen property agreement as an example and stated there were conditions and stipulations for approval of that subdivision. The Stacey Dixon agreement is different and doesn’t have the same conditions and stipulations as the Skeen subdivision. Mr. Richards stated it would be a stretch for previous developments to come back and request compensation. He stated there are laws and ordinances that dictate what has to be done before the subdivision goes in. Councilmember Sadler stated he believes the city is setting themselves up for future problems and thinks this agreement should be denied. Councilmember Skeen stated he doesn’t believe they are not trying to get out of paying for the improvements, but perhaps wanted to do things out of sequence to accommodate the city due to road construction. Mayor Beesley referred back to Mr. Richards’ comments regarding the major difference between agreements: the Skeen subdivision was done in conjunction with the approval and the Dixon subdivision was already approved. Councilmember Skeen worried about the sidewalk and improvements may have to be torn up again, but Mayor Beesley stated that would only happen if it was put in wrong at this point. **Councilmember Beal moved to deny the Utilities Improvement Agreement for Plain City Fields Subdivision. Councilmember Sadler seconded the motion. Councilmembers Jenkins, Beal, Sadler and Panunzio voted aye. Councilmember Skeen voted nay. The motion carried.**

Stacey Dixon spoke online and asked about the vote. Mayor Beesley informed Ms. Dixon that the agreement was denied. Ms. Dixon asked if anyone mentioned that the Dixon’s had asked for this multiple times and was told it was not possible so they just moved forward, but pointed out that when the Skeen’s asked for the same thing, it was approved. Mayor Beesley invited Ms. Dixon to make an appointment to meet with him in order to discuss the matter further. He mentioned the Skeen agreement was done over several months and the Dixon’s never brought this to their attention in a council meeting. Mayor Beesley stated the motion had been voted on, but Ms. Dixon was welcome to meet with him.

Discussion/Motion: Ordinance for Rezone – Robert Dodgen – 3168 W North Plain City Rd – RE-20 to RE-18.5

Candace Baird addressed the council on behalf of Robert Dodgen. Councilmember Beal stated she believed in black and white and since the option of RE-18.5 is listed in our General Plan, the Dodgen’s should be approved for the rezone.

NOTICE OF DECISION

Plain City, Weber County, Utah

On September 28, 20 23, the Plain City Planning Commission recommends
☒ Approval, ☐ *Approval with condition(s), ☐ Disapproval, ☐ Tabled
of an application for Town Center Business Plaza,
received from (Applicant): Cody Rhees

This Notice of Decision formally concludes the Planning Commission's involvement with the application for the above-mentioned land use case. Copies of the Order are available at City Hall.

Applications that have been deemed complete and have not been pursued with reasonable diligence before the appropriate board shall expire after six (6) months. The applicant will have to submit a new application and fees to restart the process, subject to all new zoning restrictions and subdivision regulations then in existence. Any party of record may appeal this decision to the City Council within 10 days of the Order approval date.

City Official

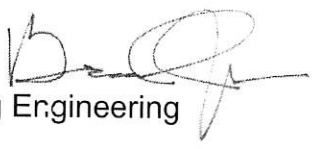
*Condition(s)/Notes:

Commissioner Ortega motioned to recommend approval of the subdivision amendment for Town Center Business Plaza at 2396 N 4350 W. Commissioner Skeen seconded the motion. Vote: Commissioners Ortega, Skeen, Maw, Jenkins, Neil voted aye. Motion carried.



Memorandum

To: Tammy Folkman, Land Use Specialist
Plain City Corporation

From: Brad C. Jensen, P.E. 
Wasatch Civil Consulting Engineering

Date: September 25, 2023

Subject: Town Center Business Plaza, 1st Amendment (2nd revision)

We have reviewed the submitted amended plat for the Town Center Business Plaza, 1st Amendment, and have the following comment.

1. The address for each lot on the subdivision are as follows:

Lot 1 – 2396 North 4350 West
Lot 2 – 2392 North 4350 West
Lot 10 – 2384 North 4350 West

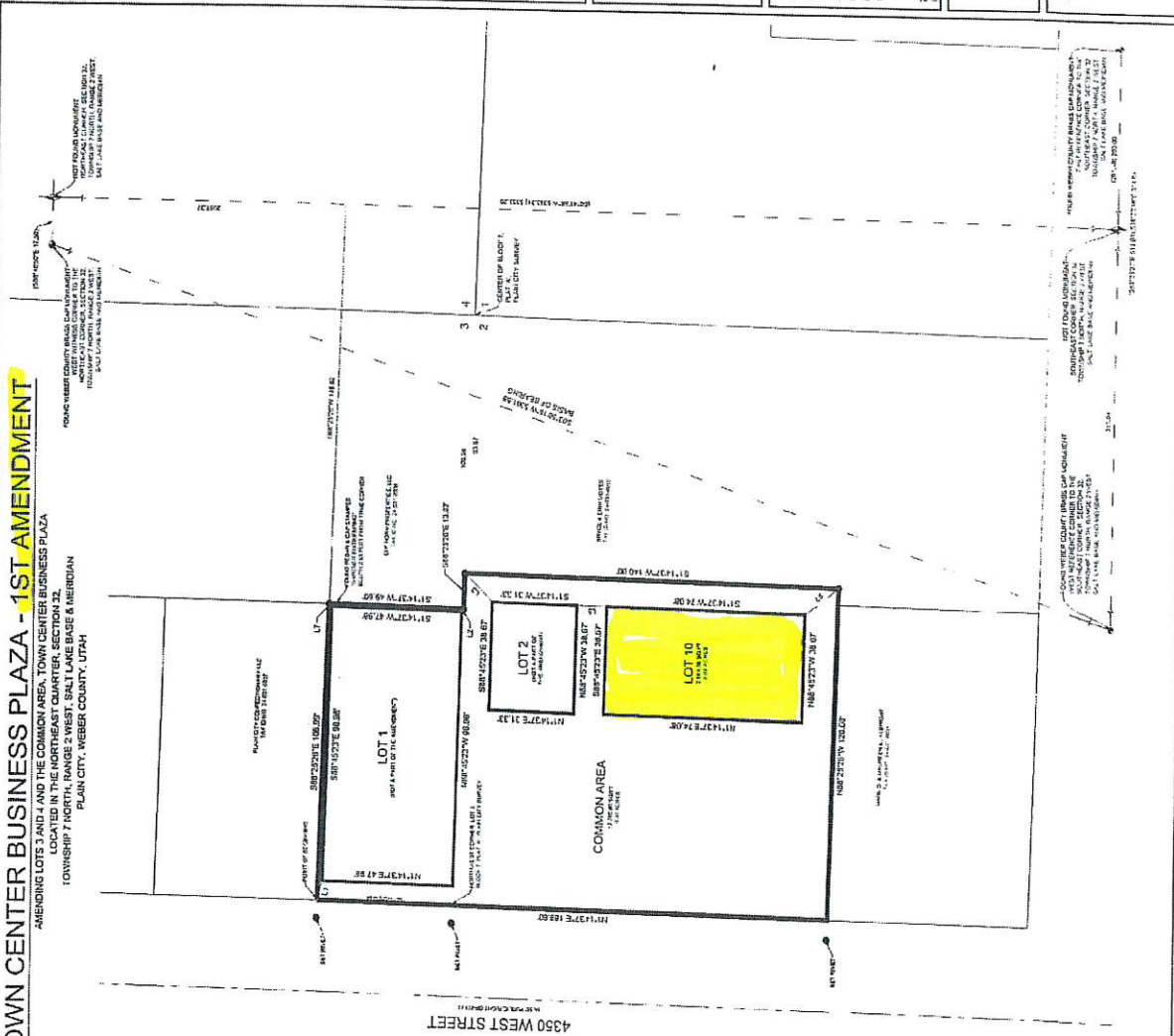
2. It appears that utilities are already separate, so no utility changes will be required.

We recommend approval of the Town Center Business Plaza, 1st Amendment. If you have any questions or require additional information, feel free to contact me.

G LOTS 3 AND 4 AND THE COMMON AREA, TOWN CENTER BUSINESS PLAZA
LOCATED IN THE NORTHEAST QUARTER, SECTION 32,
TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN

GENERAL NOTES

1. THE DEVELOPER SHALL BE RESPONSIBLE TO PROVIDE EACH LOT SUCH THAT IF WATER IS DITCHED TO ADJACENT PLOTS OR RAVINES THAT ENSURE THE LOT IS NOT SUBJECT TO EROSION. DITCHED TO THE NEARBY DITCH LOTS OR RAVINES.
2. THE DEVELOPER SHALL BE RESPONSIBLE TO PROVIDE EACH LOT WITH A DRAINAGE SYSTEM AND DRAINAGE ACCESS TO THE ADJACENT RAVINE OR DITCH.

[illegible]

Michael L. Wangemann, PLS
Date of Plot or Map: September 12, 2023
PLS# 5431156-2201

[illegible][illegible]

BY CLIFF MILES CLIFF MILES CLIFF MILES
TOWN CENTER BUSINESS PLAZA, MOBILE, AL 36686

WE, the _____ DAY OF _____ AD. 1973 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED
 COUNTY CLERK OF THE COUNTY OF _____, AND BEING BY ME DULY SWORN DID SAY THAT
 WE HEREBY PUBLISH THE _____ OF _____ BY AUTHORITY OF ITS
 MEMBERS SHIRTS ARTICLES OF ORGANIZATION AND HEREBY ASSIGNATED TO ME THAT SAID UNITED LIABILITY
 COMPANY EXECUTED THE SAME.

ONLY PUBLIC
SING IN VOICES IN CHORUS

I, S.S. _____, do hereby certify that _____ who being by me personally ascertained before me, the undersigned, to be a person of good reputation and of sufficient intelligence to understand the nature and consequences of the foregoing declaration, has acknowledged to me that said limited liability company organized the same.

CONFIDENTIAL

1ST AMENDMENT

ALSOING LOTS 3 AND THE COMMON AREA, TOWN CENTER BUSINESS PLAZA
LOCATED BY THE NORTHCOT QUARTER, SECTION 22,
TOWNSHIP 4 NORTH, RANGE 1 WEST, T14T14W042E022N011E

UTAH LAND SURVEYING, LLC

1750 63051
A PROFESSIONAL LICENSED LAND SURVEYING COMPANY

155 FAIRVIEW CIR
FARMINGTON, UT 84025

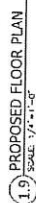
PHONE 801.725.8395
email ew@utahandsurveying.com

www.utahlandsurveying.com

FORM NO.	2717 RETURN 20 FT
DATE	09/27/93
TIME	12:00
BY	JOHN WILSON
NO.	242151
NAME	JOHN WILSON
ADDRESS	
CITY	
STATE	
ZIP	
PHONE	
FAX	
EMAIL	
WEBSITE	
OTHER	

PHASING FLOOR PLAN

A-19.



Fwd: Radio Upgrade

Jon Beesley <jonb@plaincityutah.org>

Tue 9/19/2023 12:07 PM

To: Diane Hirschi <dianeh@plaincityutah.org>

 1 attachments (675 KB)

QUOTE-2325430-1 Plain City Fire Dept. APX6500 Mobiles AES LL (1).pdf;

Here is the cost for the radios for the fire department. 

Sent from my iPhone

Begin forwarded message:

From: Plain City Fire Department <plaincityfire@gmail.com>

Date: September 12, 2023 at 12:13:54 PM MDT

To: Jon Beesley <jonb@plaincityutah.org>

Subject: Radio Upgrade

Jon, Here it is. The cost to upgrade the mobile radios to the new State system. It is much cheaper than I had estimated.. I was able to get some radios arranged that were not being used by another agency. Attached is the quote.

--

Respectfully,

Dennis Crezee

Chief, Plain City Fire Department

(801)731-4908 Office

(801)540-2365 Cell



PLAIN CITY FIRE DEPT

09/11/2023



09/11/2023

PLAIN CITY FIRE DEPT
4132 WEST 2200 NORTH
PLAIN CITY, UT 84404

Dear Dennis Crezee,

Motorola Solutions is pleased to present PLAIN CITY FIRE DEPT with this quote for quality communications equipment and services. The development of this quote provided us the opportunity to evaluate your requirements and propose a solution to best fulfill your communications needs.

This information is provided to assist you in your evaluation process. Our goal is to provide PLAIN CITY FIRE DEPT with the best products and services available in the communications industry. Please direct any questions to Dave Nielsen at dave.nielsen@aircomm.com.

We thank you for the opportunity to provide you with premier communications and look forward to your review and feedback regarding this quote.

Sincerely,

Dave Nielsen

Motorola Solutions Manufacturer's Representative

Billing Address:
 PLAIN CITY FIRE DEPT
 4132 WEST 2200 NORTH
 PLAIN CITY, UT 84404
 US

Quote Date:09/11/2023
 Expiration Date:12/10/2023
 Quote Created By:
 Dave Nielsen
 dave.nielsen@aircomm.com

End Customer:
 PLAIN CITY FIRE DEPT
 Dennis Crezee
 plaincityfire@gmail.com

Contract: 18015 - STATE OF UTAH 800
 MHZ AR-3841

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	APX™ 6500 / Enh Series	UT APX6500 E5 DM BUNDLE PACKAGE \$900 TRADE-IN INCLUDED	9		\$3,332.89	\$29,996.01
1	M25URS9PW1BN	APX6500 ENHANCED 7/800 MHZ MOBILE	9	\$3,383.12	\$824.09	\$7,416.81
1a	GA00580AA	ADD: TDMA OPERATION	9	\$495.00	\$262.35	\$2,361.15
1b	G66BJ	ADD: DASH MOUNT E5 APXM	9	\$138.00	\$73.14	\$658.26
1c	G51AU	ENH: SMARTZONE OPERATION APX6500	9	\$1,320.00	\$587.60	\$5,288.40
1d	G78AT	ENH: 3 YEAR ESSENTIAL SVC	9	\$288.00	\$288.00	\$2,592.00
1e	GA01606AA	ADD: NO BLUETOOTH/ WIFI/GPS ANTENNA NEEDED	9	\$0.00	\$0.00	\$0.00
1f	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	9	\$66.00	\$34.98	\$314.82
1g	G843AH	ADD: AES ENCRYPTION AND ADP	9	\$523.00	\$277.19	\$2,494.71
1h	G444AH	ADD: APX CONTROL HEAD SOFTWARE	9	\$0.00	\$0.00	\$0.00
1i	G335AW	ADD: ANT 1/4 WAVE 762-870MHZ	9	\$15.00	\$7.95	\$71.55



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.

Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 - #: 36-1115800



Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
1j	G806BL	ENH: ASTRO DIGITAL CAI OP APX	9	\$567.00	\$300.51	\$2,704.59
1k	GA01767AG	ADD: RADIO AUTHENTICATION	9	\$110.00	\$80.30	\$722.70
1l	GA01670AA	ADD: APX E5 CONTROL HEAD	9	\$717.00	\$380.01	\$3,420.09
1m	W22BA	ADD: STD PALM MICROPHONE APX	9	\$79.00	\$41.87	\$376.83
1n	QA09113AB	ADD: BASELINE RELEASE SW	9	\$0.00	\$0.00	\$0.00
1o	G361AH	ENH: P25 TRUNKING SOFTWARE APX	9	\$330.00	\$174.90	\$1,574.10

Grand Total

\$29,996.01(USD)

Notes:

- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.





Purchase Order Checklist

Marked as PO/ Contract/ Notice to Proceed on Company Letterhead
(PO will not be processed without this)

PO Number/ Contract Number

PO Date

Vendor = Motorola Solutions, Inc.

Payment (Billing) Terms/ State Contract Number

Bill-To Name on PO must be equal to the *Legal* Bill-To Name

Bill-To Address

Ship-To Address (If we are shipping to a MR location, it must be documented on PO)

Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)

PO Amount must be equal to or greater than Order Total

Non-Editable Format (Word/ Excel templates cannot be accepted)

Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept

Ship To Contact Name & Phone #

Tax Exemption Status

Signatures (As required)

TO: Mayor and City Council
FROM: Diane
DATE: September 28, 2023
SUBJECT: Residential Site Development Standards

The Planning Commission is recommending some changes to the zoning ordinance concerning the site development standards in the residential zones. Believe it or not, I am not trying to complicate things but am trying to help you see the whole picture. We are having some trouble with the formatting of the chart.

1. I am attaching the chart for each residential zone as it is currently in the code.
2. I am attaching the document the Planning Commission passed with the red print showing the changes and crossing through the items we are deleting.
3. I am attaching the Planning Commission proposal in ordinance form that we will need to pass if you choose. Due to some formatting issues, we cannot duplicate the original chart that is currently in the code.

Clear as mud?

Call me if you have any questions!

10-5A-4: SITE DEVELOPMENT STANDARDS:

Code - currently

①

		RE-15	RE-18.5	RE-20
		RE-15	RE-18.5	RE-20
A.	Minimum lot area	15,000 square feet	18,500 square feet	20,000 square feet
B.	Minimum lot width	100 feet	100 feet	100 feet
C.	Minimum yard setbacks:			
	1. Front	30 feet, except if 50 percent of approved subdivision/phase is completed, then not less than 40 feet		
	2. Side:			
	a. Dwelling	10 feet with total width of 2 side yards not less than 24 feet		
	b. Other main building	20 feet each side		
	c. Accessory building	10 feet, except 1 foot if located at least 6 feet in rear of main building		
	3. Side, facing street on corner lot	30 feet	30 feet	30 feet
	4. Rear:			
	a. Main building	30 feet	30 feet	30 feet
	b. Accessory building	1 foot, except 10 feet where accessory building rears on side yard of adjacent corner lot		
D.	Building height:			
	1. Minimum	1 story	1 story	1 story
	2. Maximum	2 ¹ / ₂ stories or 35 feet		

(Ord. 2019-01, 1-3-2019, eff. 1-4-2019)

10-5B-4: SITE DEVELOPMENT STANDARDS:**R-1-11 zone****Code-Current**

A.	Minimum lot area	11,000 square feet
B.	Minimum lot width	100 feet
C.	Minimum yard setbacks:	
	1. Front	30 feet
	2. Side:	
	a. Dwelling	10 feet with total width of 2 side yards not less than 24 feet
	b. Other main building	30 feet each side
	c. Accessory building	10 feet, except 1 foot if located at least 6 feet from rear of main building but not closer than 10 feet to dwelling on adjacent lot
	3. Side facing street on corner lot	30 feet, except average of existing building where 50 percent frontage is developed but not less than 20 feet
	4. Rear:	
	a. Main building	30 feet
	b. Accessory building	1 foot, except 10 feet where accessory building rears on side yard of adjacent corner lot
D.	Building height:	
	1. Minimum	1 story
	2. Maximum	2 ¹ / ₂ stories or 35 feet

(Ord., 11-14-1974; amd. Ord. 79-4, 7-26-1979; Ord. 84-2, 2-9-1984; Ord. 89-02, 7-13-1989)

10-5C-4: SITE DEVELOPMENT STANDARDS:*Code - currently*

No lot in the RE-40 Zone may be smaller than forty thousand (40,000) square feet. No lot in the RE-30 Zone may be smaller than thirty thousand (30,000) square feet. Area and width requirements of a building lot in the RE-30 and RE-40 Zones shall be as follows:

		RE-30	RE-40
		RE-30	RE-40
A.	Minimum lot area	30,000 square feet	40,000 square feet
B.	Minimum lot width	150 feet	150 feet
C.	Minimum yard setbacks:		
	1. Front	40 feet	40 feet
	2. Side:		
	a. Dwelling	10 feet, with total width of 2 side yards not less than 24 feet	10 feet, with total width of 2 side yards not less than 24 feet
	b. Other main building	20 feet each side	20 feet each side
	c. Accessory building	10 feet, except 1 foot if located at least 6 feet in rear of main building	10 feet, except 1 foot if located at least 6 feet in rear of main building
	3. Side, facing street on corner lot	30 feet	30 feet
	4. Rear:		
	a. Main building	30 feet	30 feet
	b. Accessory building	1 foot, except 10 feet where accessory building rears on side yard of adjacent corner lot	1 foot, except 10 feet where accessory building rears on side yard of adjacent corner lot
D.	Building height:		
	1. Minimum	1 story	1 story
	2. Maximum	2 ¹ / ₂ stories or 35 feet	2 ¹ / ₂ stories or 35 feet

(Ord. 2019-02, 1-3-2019, eff. 1-4-2019)

Planning Commission proposal

2

10-5A-4: SITE DEVELOPMENT STANDARDS:

	RE-15	RE-18.5	RE-20
A. Minimum lot area	15,000 square feet	18,500 square feet	20,000 square feet
B. Minimum lot width	100 feet	100 feet	100 feet
C. Minimum yard setbacks:			
1. Front	30 feet, except if 50 percent of approved subdivision/phase is completed, then not less than 40 feet		
2. Side:			
a. Dwelling	10 feet with total width of 2 side yards not less than 24 feet		
b. ~~Other main building~~ Accessory Dwelling Unit	~~20 feet each side~~ Detached units shall have a minimum separation from the primary dwelling of fourteen (14) feet. Rear and side setbacks are ten (10) feet, and corner lot side setbacks are thirty (30) feet. (Ord. 10-21-3 #2)		
c. Accessory building	10 feet, except ~~1 foot~~ 5 feet if located at least 6 feet in rear of main building		
3. Side, facing street on corner lot	30 feet	30 feet	30 feet
4. Rear:			
a. Main building	30 feet	30 feet	30 feet
b. Accessory building	~~1 foot~~ 5 feet, except 10 feet where accessory building rears on side yard of adjacent corner lot		
D. Main Building height:			
1. Minimum	1 story	1 story	1 story
2. Maximum	2 1/2 stories or 35 feet		
E. Accessory Building height:	No dwelling shall be erected to a height less than ten feet (10'), and no accessory building in a residential zone shall be erected to a height greater than twenty-five feet (25').		

(Ord. 2019-01, 1-3-2019, eff. 1-4-2019)

10-5B-4: SITE DEVELOPMENT STANDARDS: RE-1-11

- A. Minimum lot area 11,000 square feet
- B. Minimum lot width 100 feet
- C. Minimum yard setbacks:
 - 1. Front 30 feet
 - 2. Side:
 - a. Dwelling 10 feet with total width of 2 side yards not less than 24 feet
 - b. ~~Other main building~~ ~~30 feet each side~~
Accessory Dwelling Unit Detached units shall have a minimum separation from the primary dwelling of fourteen (14) feet. Rear and side setbacks are ten (10) feet, and corner lot side setbacks are thirty (30) feet. (Ord. 10-21-3 #2)
 - c. Accessory building 10 feet, except ~~1 foot~~ 5 feet if located at least 6 feet from rear of main building but not closer than 10 feet to dwelling on adjacent lot
 - 3. Side facing street on corner lot 30 feet, except average of existing building where 50 percent frontage is developed but not less than 20 feet
 - 4. Rear:
 - a. Main building 30 feet
 - b. Accessory building ~~1 foot~~ 5 feet, except 10 feet where accessory building rears on side yard of adjacent corner lot
- D. Main Building height:
 - 1. Minimum 1 story
 - 2. Maximum 2 1/2 stories or 35 feet
- E. Accessory Building height: No dwelling shall be erected to a height less than ten feet (10'), and no accessory building in a residential zone shall be erected to a height greater than twenty-five feet (25').

(Ord., 11-14-1974; amd. Ord. 79-4, 7-26-1979; Ord. 84-2, 2-9-1984; Ord. 89-02, 7-13-1989)

Site Development Standards

No lot in the RE-40 Zone may be smaller than forty thousand (40,000) square feet. No lot in the RE-30 Zone may be smaller than thirty thousand (30,000) square feet. Area and width requirements of a building lot in the RE-30 and RE-40 Zones shall be as follows:

	RE-30	RE-40
A. Minimum lot area	30,000 square feet	40,000 square feet
B. Minimum lot width	150 feet	150 feet
C. Minimum yard setbacks:		
1. Front	40 feet	40 feet
2. Side:		
a. Dwelling	10 feet, with total width of 2 side yards not less than 24 feet	10 feet, with total width of 2 side yards not less than 24 feet
b. ~~Other main building~~	~~20 feet each side~~	~~20 feet each side~~
b. Accessory Dwelling Unit	Detached units shall have a minimum separation from the primary dwelling of fourteen (14) feet. Rear and side setbacks are ten (10) feet, and corner lot side setbacks are thirty (30) feet. (Ord. 10-21-3 #2)	
c. Accessory building	10 feet, except ~~1-foot~~ 5 feet if located at least 6 feet in rear of main building	10 feet, except ~~1-foot~~ 5 feet if located at least 6 feet in rear of main building
3. Side, facing street on corner lot	30 feet	30 feet
4. Rear:		
a. Main building	30 feet	30 feet
b. Accessory building	~~1-foot~~ 5 feet, except 10 feet where accessory building rears on side yard of adjacent corner lot	~~1-foot~~ 5 feet, except 10 feet where accessory building rears on side yard of adjacent corner lot
D. Main Building height:		
1. Minimum	1 story	1 story
2. Maximum	21/2 stories or 35 feet	21/2 stories or 35 feet

E. Accessory Building height: No dwelling shall be erected to a height less than ten feet (10'), and no accessory building in a residential zone shall be erected to a height greater than twenty-five feet (25').

(Ord. 2019-02, 1-3-2019, eff. 1-4-2019)

AN ORDINANCE OF PLAIN CITY, UTAH AMENDING THE CITY'S ZONING ORDINANCES TITLE 10, CHAPTER 5, ARTICLE A SECTION 4, ARTICLE B SECTION 4, AND ARTICLE C SECTION 4 (SITE DEVELOPMENT STANDARDS); AND ESTABLISHING AN EFFECTIVE DATE

Section 1. Recitals

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

WHEREAS, the City Council finds that in conformance with the provisions of UCA § 10-3-717, the governing body of the city may exercise all administrative powers; and

WHEREAS, the City Council finds that in conformance with the provisions of UCA § 10-3-702, 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 finds that this issue has been reviewed by the Planning Commission and certain recommendations made by them; and

WHEREAS, the City Council finds that the public health, welfare and safety are at issue in this matter; now,

NOW THEREFORE, BE IT ORDAINED by the City of PLAIN CITY as follows:

Section 2. City's Zoning Ordinance Amended.

The following amends and replaces Plain City Code Title 10 Chapter 5 Article A Section 4 Chart:

10-5A-4: SITE DEVELOPMENT STANDARDS:

	RE-15	RE-18.5	RE-20
A. Minimum lot area	15,000 square feet	18,500 square feet	20,000 square feet
B. Minimum lot width	100 feet	100 feet	100 feet
C. Minimum yard setbacks:			
1. Front	30 feet, except if 50 percent of approved subdivision/phase is completed, then not less than 40 feet		
2. Side:			
a. Dwelling	10 feet with total width of 2 side yards not less than 24 feet		
b. Other main building	20 feet each side		
Accessory Dwelling Unit	Detached units shall have a minimum separation from the primary dwelling of fourteen (14) feet. Rear and side setbacks are ten (10) feet, and corner lot side setbacks are thirty (30) feet. (Ord. 10-21-3 #2)		
c. Accessory building	10 feet, except 1-foot 5 feet if located at least 6 feet in rear of main building		
3. Side, facing street on corner lot	30 feet	30 feet	30 feet
4. Rear:			
a. Main building	30 feet	30 feet	30 feet
b. Accessory building			

~~4-foot 5 feet~~, except 10 feet where accessory building rears on side yard of adjacent corner lot

D. Main Building height:

- | | | | |
|------------|--------------------------|---------|---------|
| 1. Minimum | 1 story | 1 story | 1 story |
| 2. Maximum | 2 1/2 stories or 35 feet | | |

E. Accessory Building height: No dwelling shall be erected to a height less than ten feet (10'), and no accessory building in a residential zone shall be erected to a height greater than twenty-five feet (25').
(Ord. 2019-01, 1-3-2019, eff. 1-4-2019)

The following amends and replaces Plain City Code Title 10 Chapter 5 Article B Section 4 Chart:

10-5B-4: SITE DEVELOPMENT STANDARDS: **RE-1-11**

- A. Minimum lot area 11,000 square feet
- B. Minimum lot width 100 feet
- C. Minimum yard setbacks:
1. Front 30 feet
2. Side:
- a. Dwelling 10 feet with total width of 2 side yards not less than 24 feet
- b. ~~Other main building~~ ~~30 feet each side~~
 Accessory Dwelling Unit Detached units shall have a minimum separation from the primary dwelling of fourteen (14) feet. Rear and side setbacks are ten (10) feet, and corner lot side setbacks are thirty (30) feet. (Ord. 10-21-3 #2)
- c. Accessory building 10 feet, except ~~4-foot 5 feet~~ if located at least 6 feet from rear of main building but not closer than 10 feet to dwelling on adjacent lot
3. Side facing street on corner lot 30 feet, except average of existing building where 50 percent frontage is developed but not less than 20 feet
4. Rear:
- a. Main building 30 feet
- b. Accessory building ~~4-foot 5 feet~~, except 10 feet where accessory building rears on side yard of adjacent corner lot

D. Main Building height:

- | | |
|------------|--------------------------|
| 1. Minimum | 1 story |
| 2. Maximum | 2 1/2 stories or 35 feet |

E. Accessory Building height: No dwelling shall be erected to a height less than ten feet (10'), and no accessory building in a residential zone shall be erected to a height greater than twenty-five feet (25').
(Ord., 11-14-1974; amd. Ord. 79-4, 7-26-1979; Ord. 84-2, 2-9-1984; Ord. 89-02, 7-13-1989)

The following amends and replaces Plain City Code Title 10 Chapter 5 Article C Section 4 Chart:

10-5C-4: SITE DEVELOPMENT STANDARDS: **RE-30 RE-40**

No lot in the RE-40 Zone may be smaller than forty thousand (40,000) square feet. No lot in the RE-30 Zone may be smaller than thirty thousand (30,000) square feet. Area and width requirements of a building lot in the RE-30 and RE-40 Zones shall be as follows:

- | | RE-30 | RE-40 |
|---------------------------|-----------------------|--------------------------------|
| A. Minimum lot area | 30,000 square feet | 40,000 square feet |
| B. Minimum lot width | 150 feet | 150 feet |
| C. Minimum yard setbacks: | | |
| 1. Front | 40 feet | 40 feet |
| 2. Side: | | |
| a. Dwelling | 10 feet, with total | 10 feet, with total |
| | width of 2 side yards | width of 2 side yards not less |
| | not less than 24 feet | than 24 feet |

b. Other main building	20 feet each side	20 feet each side
b. Accessory Dwelling Unit	Detached units shall have a minimum separation from the primary dwelling of fourteen (14) feet. Rear and side setbacks are ten (10) feet, and corner lot side setbacks are thirty (30) feet. (Ord. 10-21-3 #2)	
c. Accessory building	10 feet, except ~~1 foot~~ <u>5 feet</u>	10 feet, except ~~1 foot~~ <u>5 feet</u>
	if located at least 6 feet in rear of main building	if located at least 6 feet in rear of main building
3. Side, facing street on corner lot	30 feet	30 feet
4. Rear:		
a. Main building	30 feet	30 feet
b. Accessory building	~~1 foot~~ <u>5 feet</u> , except 10 feet where accessory building rears on side yard of adjacent corner lot	~~1 foot~~ <u>5 feet</u> , except 10 feet where accessory building rears on side yard of adjacent corner lot
D. <u>Main Building height:</u>		
1. Minimum	1 story	1 story
2. Maximum	2 1/2 stories or 35 feet	2 1/2 stories or 35 feet
<u>E. Accessory Building height: No dwelling shall be erected to a height less than ten feet (10'), and no accessory building in a residential zone shall be erected to a height greater than twenty-five feet (25').</u> (Ord. 2019-02, 1-3-2019, eff. 1-4-2019)		

Section 3. **Prior Ordinances And Resolutions** The body and substance of any and all prior Ordinances and Resolutions, 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, ordinances and resolutions 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 Amendment, 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 Plain City.

Section 6. **Date Of Effect** This Ordinance shall be effective on the ____ day of _____ 2023, and after publication or posting as required by law.

DATED this ____st day of _____, 2023

PLAIN CITY, a municipal corporation

MAYOR – Jon Beesley

ATTESTED AND RECORDED:

Diane Hirschi, CMC
CITY RECORDER

TO: Mayor and City Council
FROM: Diane
DATE: September 28, 2023
SUBJECT: Commercial Site Plan Process

As you all well know, in the past the City hasn't had a lot of commercial businesses. We are gradually getting more and maybe it's a good time to have a discussion about how we handle site plans going forward.

In the past, standard protocol for a commercial site plan (**for any business**) has been to require a site plan application, fee and plans submitted to the Planning Commission. At that time, the Planning Commission looked at the site, the parking, landscaping, the zoning, etc. Once the Planning Commission signed off on it, it was passed on to the building inspector for a building permit and/or the business license process. With the exception of the exterior of Fiiz, there really hasn't really been any problems and that process has worked. We have required things this way for the areas in Kent's building and in the Roylies building.

We are having a little push back on that process with the businesses at the Town Center Plaza. In Cody's larger building, he is subleasing rooms out for different businesses (we don't know how many). He doesn't feel that it is necessary that the Planning Commission looks at each business in that building. He feels that the Planning Commission approved the overall site plan and that it doesn't need to go back for the individual businesses.

I have attached the C-2 section of the Zoning Ordinance. I have highlighted the section showing that a site plan is required before a building permit is issued. The question I am asking is how you want to proceed with individual businesses that are in a plaza from here on out? I can see both sides of the argument, but I would like to know what you (as a Council and Planning Commission) are expecting from staff.

Call me if you have any questions!

ARTICLE B. GENERAL COMMERCIAL ZONE C-2

SECTION:

10-6B-1: Purpose And Intent

10-6B-2: Use Regulations

10-6B-3: Site Development Standards

10-6B-4: Special Parking Requirements

10-6B-5: Protection Of Adjoining Residential Properties

10-6B-6: General Regulations

10-6B-7: Submission Of Application

10-6B-8: Planning Commission Approval

10-6B-9: City Council Action

10-6B-10: Building Permit Issuance

10-6B-11: Time Limitation

10-6B-12: Application To Existing Commercial Zones

10-6B-13: Sign Regulations

10-6B-14: Site Plan Review Required

10-6B-15: Landscaping Standards

10-6B-1: PURPOSE AND INTENT:

A. The general commercial zone is established to provide locations for a full range of office, retail commercial, and service uses which are oriented to serve the city as a whole, as well as a regional market in Plain City. A variety of activities are encouraged, especially those which promote both daytime and nighttime consumer activity.

B. The general commercial zone includes uses usually associated with central business district and shopping facilities which are not ordinarily compatible with single-family residential uses.

C. In order to stabilize, improve and protect the city's commercial areas, standards are established to ensure a quality urban environment with landscaping, light and air at street level, well defined urban spaces, and compatibility of building materials, colors, and textures. (Ord. 2004-12, 8-5-2004, eff. 8-5-2004)

10-6B-2: USE REGULATIONS:

Any permitted use or any conditional use allowed in the C-2 zone shall be permitted in their respective C-2 zone, provided, where applicable, a conditional use permit is obtained as provided in chapter 10 of this title. Such uses shall be indicated on the final development plan. (Ord. 2004-12, 8-5-2004, eff. 8-5-2004)

10-6B-3: SITE DEVELOPMENT STANDARDS:

A.	Minimum lot area	None
----	------------------	------

B.	Minimum yard setbacks:		
	1.	Front	20 feet for main building, walls or fences over 3 feet high
	2.	Side	None, except 10 feet adjoining a residential zone
	3.	Side, facing street on corner lot	20 feet
	4.	Rear	None, except 10 feet adjoining a residential zone
C.	Building height:		
	1.	Minimum	1 story
	2.	Maximum	35 feet
D.	Lot coverage		The aggregate area of all buildings shall not exceed 40 percent of the entire lot

(Ord. 2015-06, 11-19-2015, eff. 11-19-2015)

10-6B-4: SPECIAL PARKING REQUIREMENTS:

Off street parking facilities shall follow the provisions of chapter 9 of this title. (Ord. 2015-05, 11-19-2015, eff. 11-19-2015)

10-6B-5: PROTECTION OF ADJOINING RESIDENTIAL PROPERTIES:

Where a general commercial development adjoins any lot in any residential zone, there shall be provided and maintained along such property line an opaque fence of not less than six feet (6') in height; provided, however, that such fence shall be three and one-half feet (3¹/₂') in height along the property line which bounds the front yard of adjoining residential lots. At least fifty percent (50%) of such wall should be maintained with a minimum six foot (6') wide planting strip and landscaping with trees and shrubs. (Ord. 2004-12, 8-5-2004, eff. 8-5-2004)

10-6B-6: GENERAL REGULATIONS:

A. Ownership: A C-2 zone may be established only upon land held in single ownership or under unified control, or where the planning commission determines that commercial development on separate adjoining properties should be coordinated to form a physically unified commercial facility which will be compatible with the surrounding land uses. At the time a C-2 zone is established and before building permits are issued, deed restrictions on the properties covered under the zone change shall be filed by the applicant or owners of the subject property with the county recorder and shall provide that development take place on such property or properties in accordance with the final site development plan approved by the city council and on file with the city recorder.

B. Nonconformities Prohibited: A C-2 zone shall not be established upon a tract of land which would contain a nonconforming use or its integration into planned development.

C. Relationship To Master Plan: The location of the C-2 zone shall have an acceptable relationship to and further the purposes of the master plan of the city as determined by the planning commission. (Ord. 2004-12, 8-5-2004, eff. 8-5-2004)

10-6B-7: SUBMISSION OF APPLICATION:

A rezoning petition for a general commercial zone shall be submitted to the planning commission and shall be accompanied by a preliminary development plan for the commercial center showing a unified and organized arrangement of buildings and structures and their proposed uses, off street parking, internal and external traffic circulation and service facilities, and schematic architectural drawings, landscaping plans and sketches demonstrating the design and character of the proposed development. The developer shall submit all evidence deemed necessary by the city council and/or planning commission of his ability to undertake the proposed project. (Ord. 2004-12, 8-5-2004, eff. 8-5-2004)

10-6B-8: PLANNING COMMISSION APPROVAL:

The planning commission shall recommend approval or denial of the zoning petition and preliminary development plan to the city council. The recommendation of the planning commission may contain conditions, limitations or amendments to the preliminary development plan to ensure that the general commercial development is integrated into its surroundings and serves the public interest to the greatest extent possible. The planning commission shall also recommend a reasonable amount to be provided by the developer by cash deposit or bond, to ensure the completion of the landscaping for the entire plan or phase thereof. (Ord. 2004-12, 8-5-2004, eff. 8-5-2004)

10-6B-9: CITY COUNCIL ACTION:

The city council, after holding a public hearing thereon, may approve or disapprove a petition for a general commercial zone. In approving a zoning petition, the city council shall concurrently approve a preliminary development plan, the amount required to ensure completion of the landscaping, together with whatever amendments, conditions or requirements as it may deem necessary to secure the purpose of this article. (Ord. 2004-12, 8-5-2004, eff. 8-5-2004)

10-6B-10: BUILDING PERMIT ISSUANCE:

After the rezoning of the site of a C-2 zone, a final development plan for the entire district or for the initial phase, if a stage plan development plan has been approved, shall be submitted to and approved by the planning commission as complying with the regulations and requirements attached thereto, prior to the issuance of any building or land use permits. The final development plan shall show in detail the proposed areas and locations of buildings, off street parking, internal and external traffic circulations, improvements, landscaping, signs and service facilities. No changes shall be made in the final development plan during the course of construction pursuant thereto without first obtaining prior approval of the planning commission. Copies of the approved final development plan shall be kept on file in the office of the planning commission, building inspector and city recorder, and only changes which may be subsequently approved shall be added thereto. (Ord. 2004-12, 8-5-2004, eff. 8-5-2004)

10-6B-11: TIME LIMITATION:

A. Time; Extension: Building permits shall be secured and construction begun in accordance with the approved final development plan within eighteen (18) months from the effective date of the ordinance establishing such zone or other period of time as determined by the City Council. Application may be made for not more than six (6) months' extension of the time limit for commencement of construction. Use and building permits shall be issued only for those uses and buildings indicated on the approved final development plan.

B. Loss Of Zoning Status: In the event that construction is not started within the specified time limit, the Planning Commission shall review the classification of the zone and the progress which has taken place and, if deemed necessary, revoke the plan approval and initiate proceedings to rezone said property to its prior classification or to a zone consistent with the Comprehensive Master Plan.

C. Completion Time: All construction authorized in the approved final development plan shall be completed within three (3) years of the date construction has commenced. A plan for stage development which will require more time than the limits contained herein may be approved by the City Council, after recommendation by the Planning Commission.

D. Failure To Complete: In the event that construction is not completed within the time limits specified, the Planning Commission shall review the development which has taken place and if necessary initiate proceedings to reclassify the property or part thereof in a manner consistent with the Comprehensive Master Plan. (Ord., 11-14-1974)

10-6B-12: APPLICATION TO EXISTING COMMERCIAL ZONES:

In the case of existing commercial zones, the Planning Commission and City Council may proceed to rezone such zones to an equivalent General Commercial Zone without the requirements of a preliminary development plan and other necessary information; but, after being so zoned to a General Commercial Zone, a preliminary and final development plan of each development shall be submitted to and approved by the Planning Commission and City Council in accordance with the provisions of this article prior to the issuance of building permits; provided, however, that improvements already in existence at the time of rezoning shall not be affected. (Ord. 2004-12, 8-5-2004, eff. 8-5-2004)

10-6B-13: SIGN REGULATIONS:

The height, type, size and location of signs shall be in accordance with the regulations as set forth in chapter 12 of this title, or as determined necessary by the Planning Commission. (Ord., 11-14-1974)

10-6B-14: SITE PLAN REVIEW REQUIRED:

Permitted uses specified in this article require site plan approval by the Planning Commission before building permits are issued subject to section 10-8-16 of this title. Conditional uses are regulated by chapter 10 of this title. (Ord. 2017-08, 7-20-2017, eff. 7-20-2017)

10-6B-15: LANDSCAPING STANDARDS:

A landscape plan is required to be submitted as part of the site plan or conditional use permit review in section 10-6B-14 of this article. Landscaping standards are specified in section 10-8-15, "Landscape Standards", of this title. (Ord. 2017-05, 2-16-2017, eff. 2-16-2017)