

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, March 27, 2024

7:00 p.m.

A quorum being present at City Hall, 250 North Main Street, Centerville, Utah, the meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

MEMBERS PRESENT

- Shawn Hoth
- Layne Jenkins
- Amanda Jorgensen
- Tyler Moss
- LaRae Patterson, Vice Chair

MEMBERS ABSENT

- Mason Kjar, Chair
- Matt Larsen

STAFF PRESENT

- Mike Eggett, Community Development Director
- Lisa Romney, City Attorney
- Whittney Black, Assistant Planner

VISITOR

- Richard Jensen

LEGISLATIVE THOUGHT/PRAYER Commissioner Moss

PLEDGE OF ALLEGIANCE

ZONE TEXT AMENDMENT, CZC 12.55.110 FENCES AND WALL

The petitioner, Richard Jensen, desired to amend the Zoning Ordinance regarding fences and walls to accommodate a retaining wall and fence combination he wanted to construct on the east side of his property. The Planning Commission held a public hearing and tabled the matter at the January 24, 2024 Planning Commission meeting. Assistant Planner Whittney Black explained that current Code restricted fence and wall height to 6 feet in rear and side yards, with calculations provided for determining maximum height in situations of differing grade from one property to another. The petitioner desired to replace an existing 4-foot retaining wall, and add a 6-foot fence on top. Ms. Black said there was a difference in grade between the subject property and neighboring property of about 4 feet. After taking the average elevation of the difference in grade, the final height calculation was 8 feet, exceeding the 6-foot maximum.

The petitioner proposed amending the zoning ordinance to reflect the following:

“Differentiate between non-structurally engineered walls and structurally engineered walls. Amend the allowed fence height from 6’ to 7’ for non-structurally engineered walls (typically chain-link, wood or vinyl) and 8’ for structurally engineered walls (typically concrete or CMU).”

Staff provided a list of factors to be considered when discussing height of fences and walls in the January 24, 2024 Staff Report. Staff advised that the application only addressed one issue, and advised denial of the application and a more comprehensive review of the ordinance at a later time. For the meeting that evening, the petitioner amended the application to include further information and suggestions regarding some of staff’s concerns discussed in the January 24,

1 2024 report, and compiled standards from several cities in Davis County regarding fence height.
2 Ms. Black said staff felt the request remained limited in nature and did not include a
3 comprehensive review. The application only addressed one issue for one property. Staff advised
4 a more comprehensive review of the ordinance would be in the best interest of the entire city,
5 suggested a city-initiated comprehensive review should be added to a list of goals and priorities,
6 and recommended denial of the application.

7
8 The Planning Commission discussed the application. Community Development Director
9 Mike Eggett advised the best solution to that type of situation was to write code that solved the
10 situation comprehensively for the entire city, rather than approving variances all over the city. Staff
11 recognized there were probably many similar situations throughout Centerville. Ms. Black
12 estimated staff may be able to present a comprehensive review and recommendation by the
13 middle of summer given the current work load. City Attorney Lisa Romney said staff would not
14 advise the petitioner to seek a variance because the situation did not meet variance criteria.

15
16 Richard Jensen, petitioner, explained his concrete wall would be stepped along the length
17 of the yard. He referred to standards in other Davis County cities.

18
19 Commissioner Jenkins referred to possible unforeseen consequences of the proposed
20 amendment when applied to other situations throughout the City. He said he sympathized with
21 the petitioner, and expressed support for encouraging a comprehensive review of the ordinance
22 in 2024 if possible. The Planning Commission and staff discussed possible amendments to the
23 ordinance to address the comprehensive issue.

24
25 Commissioner Jorgensen made a **motion** for the Planning Commission to recommend to
26 the City Council denial of the request from Richard Jensen for a Zoning Code Text Amendment
27 regarding CZC 12.55.110 Fences and Walls, for the following reasons for action. Commissioner
28 Moss seconded the motion, which passed by unanimous vote (5-0).

29
30 Reasons for action:

- 31
32 1. The Planning Commission finds that the application does not adequately consider the
33 potential positive and negative impacts of increasing the allowable fence or wall height.
34 2. The Planning Commission finds that a more comprehensive ordinance amendment
35 than what is proposed in this application is needed for CZC 12.55.110. The Planning
36 Commission directs staff to work on solutions to the fencing issue discussed.
37 3. Therefore, the Planning Commission finds that the request for a Zoning Code Text
38 Amendment regarding CZC 12.55.110 Fences and Walls should not be positively
39 recommended to the City Council.

40
41 **TRAINING**

42
43 City Attorney Lisa Romney provided training on Robert's Rules of Order and
44 Professionalism/Decorum, and answered questions from the Commission.

45
46 **DISCUSSION – 2024 PLANNING COMMISSION GOALS AND PRIORITIES**

47
48 Assistant Planner Whitney Black presented a list of planning projects and goals for
49 Planning Commission review, and requested that Planning Commissions submit feedback and
50 suggestions. Commissioners expressed a desire for additional training on different planning
51 topics. Ms. Black said additional discussion would be scheduled on a future agenda.

1 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

2
3 Mr. Eggett spoke of the planned General Plan update. The Planning Commission was
4 scheduled to meet next on April 10, 2024.

5
6 **MINUTES REVIEW AND APPROVAL**

7
8 Minutes of the March 13, 2024 Planning Commission Meeting were reviewed.
9 Commissioner Hoth **moved** to approve the minutes. Commissioner Jorgensen seconded the
10 motion, which passed by unanimous vote (5-0).

11
12 **ADJOURNMENT**

13
14 At 8:56 p.m., Commissioner Jenkins **moved** to adjourn the meeting. Commissioner
15 Jorgensen seconded the motion, which passed by unanimous vote (5-0).

16
17 DocuSigned by:
18 *Jennifer Robison*
19 741B22DE1D2449C...
20 _____
 Jennifer Robison, City Recorder

4/11/2024 | 11:43 AM MDT

Date Approved

