

HYDE PARK CITY
PLANNING COMMISSION MEETING
March 20, 2024
Minutes

The Meeting began at 7:00 PM and was conducted by Commissioner Chair Michael Mowes.

City Representatives Present

Planning Commissioners: Commission Chair Michael Mowes, Mark Lynne, and Ryan Brady (7:30), Mayor Bryan Cox, City Administrator Marcus Allton, and Council Member Kevin Flint.

Others Present

Blake Parker, Rich Eckburg, Jon & Loetta Farley-Wadsworth, Dan Balls, Tanica Rodriguez, and Taylor Thomas (in-person) and Gary Thomas (via Zoom)

Prayer, Pledge, Thought:

Commissioner Mowes initiated the meeting with a prayer, and the pledge.

Approval of Minutes from March 6, 2024:

Lynne made a motion to approve the minutes. Whyte seconded the motion. Motion carried 3/0.

Report on City Council Meeting held March 13, 2024

Council member Flint reported on the City Council meeting held on March 13, 2024. The discussion focused briefly on the community's concerns over vehicle activities on Canyon Road. It was conveyed that residents should report such activities to 911 rather than attempting to intervene, also noted were the council's review of zoning issues and their role in determining the zoning of the city. The Council approved R5 and R4 zones as well as a new business licensing ordinance. The city's future move towards a new website domain for a public entity was discussed, which would also involve a change in the council, staff, and planning commission's email addresses.

Administrative Items

Consider edits to the following Hyde Park City Ordinance: *land use Table – Regulations of property use in current zones.*

The commission discussed updates to the Land Use Table, focusing on the integration of new zones and reviewing items highlighted in green that required further

consideration. Specific topics included the allowance of triplex housing, the operation of public stables, and potential changes to allow certain commercial activities within specified zoning areas.

The conversation included whether public stables should require a conditional use permit in the residential core zone and extending it to the R2 zone. It was decided that in the mixed-use zone, bars, alcohol/tavern could remain a conditional use, but it might be prematurely permitted without considering future development complexities. After discussions, changes to the designation regarding public stables were agreed upon, and the specification of allowing a bar/tavern within the mixed-use zone was later marked as prohibited.

The meeting included reflecting on neighborhood markets, flagged by green lines for a focused review, and whether they should remain permitted as prescribed. The placement of retail and commercial potential in relation to residential zones was discussed, with mentions of possible transitions from retail to residential uses. The introduction of a community commercial option in the mixed-use zone was discussed, focusing on its implications and appropriate zoning areas.

Mowes suggested removing "or more" from dwelling townhomes.

P = permitted

P* = permitted with specific conditions

C = requires Conditional Use Permit

X = not permitted

Bold/not bold - no difference

Lynne mentioned an existing city resident who rents land for boarding/training horses - Baron family.

Mowes questioned 'stable' vs 'public stable'. He suggested changing 'public stable' in residential core zone and R2 zone to CUP rather than not permitted. Lynne agreed. Allton unsure if business license required.

Mowes suggested removing the alcohol allowance in the mixed-use zone. Allton noted there will be a distance requirement. Allton recommended prohibiting alcohol in all zones then address it as the need arises. Mowes said the General Plan suggests the area for mixed-use. Lynne noted the new Mountain Recreation zone may want a restaurant that serves alcohol. Mowes proposed changing the bar/nightclub from conditional to not permitted in the mixed-use zone.

Regarding markets, Commissioners edited the titles and suggested neighborhood commercial businesses with convenience store neighborhood.

Lynne made a motion to recommend the amended Land Use Table to the council for approval. Brady seconded the motion. The motion to approve the updated Land Use

Table with edits as discussed received unanimous consent with four ayes.

Farley Property Rezone Discussion

Mowes suggested changing the agenda to consider the Farley item first. Blake Parker presented a rough draft of the project and gave an explanation.

Lynne had no problem with commercial uses across from the high school. He likes offices, noting "good signage".

Brady questioned a 40' building on the corner of 600 S 200 W. Lynne also believes that is a little tall right at the street.

Whyte is concerned about the entrance and traffic, especially during school commute hours where there is not a good traffic flow. He supports business on the west side, next to Wolfpack Way on the corner. Further north makes it a hard transition.

Mowes said the legal parcel includes the area east of the 200 W road. He does not want that included in the mixed-use zone. He likes a few small businesses on the corner. He is unsure how to transition as you go further north. He suggested dividing the parcel into smaller pieces to rezone individually. Parker resisted. They could not maximize use. Mowes: If we approve this rezone; we cannot deny the project if we do not like the concept plan.

Cox reminds Commissioners we have to consider the application. Could the mixed-use zone work here? You are voting on the change of the zone, not the rough draft. Does mixed-use work there? He would like the access to be a right-turn-in and right-turn-out only.

Whyte feels 200 W along 600 S should be the transition zone to protect single-family homes. He prefers more transition, less mixed-use.

Brady: Current homeowners may not like having an apartment in their backyard. The "L-shaped" building could use mixed-use. The other buildings have no gradient. Far north retail commercial should be the transition zone not apartments, not commercial. He thinks the large parcel (west of 200 W) is acceptable for mixed-use. He is also concerned about the entrance on 200 W and consequent traffic. It is a half road. Wolfpack Way will alleviate some traffic. Can the roads handle the increased traffic?

Allton: All things discussed ARE allowed in the mixed-use zone. He requested Farley's hold off on the public hearing so commissioners can first discuss it.

Whyte asked if this parcel could be compared to a lot further east on 600 S. Cox: No, this one has Wolfpack Way, giving it major north/south transportation.

Blake Farley noted they do not intend to develop this property themselves. Someone more experienced will do it. There will be several reviews. When 200 W is developed, it will be a full street.

Loetta Farley-Wadsworth: This property has been in the family for 35 years. He described changes such as the PUD and the high school. Originally, they wanted to build a home and horse ranch. She also pointed out that the property along 200 W will be developed in front of the new high school.

Cox noted we prefer to use Wolfpack Way to handle more traffic. He again reminded commissioners they are considering a zone, not a project.

Allton Summary. He said we will move forward with the Public Hearing at the next meeting (already posted).

Other

Whyte asked Gary Thomas the timeline of the new proposed middle school. Gary said they want to begin ASAP and hope to finish in the fall of 2026.

Senior PUDs

Allton introduced the item and gave an overview of possible changes. A Public Hearing is scheduled for the next meeting (April 3). Mayor Cox had a few additions regarding design standards. The intent of the zone is not altered – still has 5 units per acre, single family homes. The age 55+ communities are still popular. We will not see them used on a large scale as in R5. State code allows residents who are not necessarily 55+.

Mowes asked about spacing between Senior PUDs. Allton: Those references will be deleted. Open space requirements are up for discussion. Residents of Highland Cove PUD want less open space and more homes, but they were denied because of the 30% open space requirement.

Whyte felt the 30% requirement was meant for higher density development. He suggested reducing it for PUDs. He referred to Memory Lane with the walking trail around a large open field that is a waste. Allton noted they would like to develop that land.

Brady was for reducing the open space requirement but would like to gather information about a replacement.

Allton will make the suggested changes and research different ideas for open space requirements to present at the next meeting. Commissioners agreed.

'Grandfathered-In' Multiplex Discussion

The commission considered a new ordinance addressing issues related to residences with 2 to 4 living units operating as multifamily units without proper zoning classification. The ordinance seeks to clarify and formalize the status of such existing multiplexes based on the tax designation provided by the county and would effectively 'grandfather in' multi-unit dwellings that possess a specific tax status as of a certain date, preventing assorted complications in the future:

"The purpose is to simply grandfather in existing multiplexes based on tax designation,

thus preventing regulatory and enforcement challenges going forward."

(Note: It was noted that any future updates to the zoning map might create issues for historic multiplex units which will be addressed through this ordinance.)

PUBLIC INPUT

Taylor Thomas related his purchase of the home. It was considered an ADU at the time. He got it changed later. Allton noted several neighbors reached out to the city about this property.

Dan Balls, neighbor, is concerned about multi-family housing in the single-family neighborhood. The home is double metered for gas and electricity. It has never been rented as a duplex (two tenants, neither owns the home). He would be willing to meet in a closed-door meeting. He also expressed concern over the noticing of the changes. Allton informed him that closed-door meetings are illegal. Public Hearings are posted online. This item is scheduled for April 17.

Bonus Density

Allton gave summary of ordinance edits that would allow R-4 and R-5 Zones to have bonus density, and to decrease the payout percentage from 90% of the market rate price to 80% to attract developers. Allton explained the process to acquire bonus density lots. Brady suggested having open space requirements added to Table I. Allton suggested that the Commissioners read/review the ordinance and it will be discussed at the next meeting. A Public Hearing regarding Bonus Density is scheduled for April 17.

'Grandfathered-In' Multiplex Continued Discussion

The city probably has 6 or 7 units (Allton will verify) that are being operated as an apartment. The tax designation does not exempt them from following zone requirements. He presented a short possible solution as HPC Code 12.30.195 which uses an effective date.

Taylor Thomas' home has been operating as an apartment since the 1970s. They applied to the Planning Commission to have the county designation of "SFR/Apt" about a year ago. PC granted their request. The only other units in the city operating that way have the tax designation 'SFR/Apt' or 'SFR/Multi'.

Cox: The effective date would be the date Council approves the new ordinance.

Allton: If someone applied for that tax designation in the future, we would have a start date'. This would save the city issues in the future. The current 6n units will be excluded from this when the zones are updated.

Taylor Thomas felt using the meters as a determination factor for Apt / ADU was appropriate. A Public Hearing regarding this item is scheduled for April 17.

Wolfpack Way Recreation Exhibits

A call for suggestions and ideas for aesthetic fixtures such as benches, trash cans, and light posts along Wolfpack Way was made to the commissioners. Standards for light posts and sign designs that are being incorporated in upcoming developmental projects were mentioned. It was suggested that a citizen committee might be beneficial to gather a broader perspective on these amenities for future consideration.

(Note: This heading was included as a new agenda item given its discussion points and its significance to the community's visual identity.)

Allton: The contractor will start Wolfpack Way ASAP. They have 5 weeks to complete the project before incurring a daily penalty.

OTHER SIMILARLY AFFECTED PROJECTS

Cox: The city contracted with Geneva Rock for the 700 E project. Allton: More sidewalks could be added to connect to Lions Park.

Adjourn

Mowes motioned to adjourn. Brady seconded. Motion carried unanimously with four ayes.

Melinda Lee for Colette Dursteler
Secretary, Planning Commission