

**BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY COUNCIL CHAMBERS
Tuesday, 8/5/2025 6:00 p.m.**

PRESENT:	Roger Manning	Commissioner- Chair
	Cindy McConkie	Commissioner- Vice Chair
	Jason Coppieters	Commissioner
	Donny Constantineau	Commissioner
	Isaac Herbert	Commissioner
	Vince Crane	Commissioner
EXCUSED:	Kristen Bogue	Commissioner
	Kristina Lenderman	Commissioner
	Garl Waldron	Commissioner
	Mandi Richens	Commissioner
ALSO PRESENT:	Mark Bradley	City Planner
	Zane Billings	Assistant Planner
	Destry Larsen	Administrative Assistant
	Derek Oyler	City Administrator
	Tom Cooper	Public Power Director

AGENDA

Pledge of Allegiance

Approval of Minutes

Public Hearing ¹ / Application #25-047 / Amend Brigham City Code Chapter 156 Zoning / Establish Solar Land Use Regulations and Definitions, and Incorporate Use Categories in Multiple Zoning Districts / Brigham City Corporation

Application #25-049 / Conditional Use Permit ¹ / Major Home Occupation – Mobile Food Vendor – Smoke Meat / 51 South 400 West / Don Carlopoli, Papa Fatsos

Application #25-050 / Amend North Point PUD ¹ / Modify Portion of Phase 4 / 1100 North and Main Street / Parker McGarvey, Visionary Homes

REGULAR MEETING

Regular session opened at 6:00 p.m. by Commissioner Manning and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Commissioner Coppieters moved to approve the minutes with corrections as noted for July 15, 2025, meeting. Commissioner McConkie seconded the motion and it passed unanimously.

Public Hearing ¹ / Application #25-047 / Amend Brigham City Code Chapter 156 Zoning / Establish Solar Land Use Regulations and Definitions, and Incorporate Use Categories in Multiple Zoning Districts / Brigham City Corporation

City Planner Mark Bradley introduced the item and explained that City Administrator Derek Oyler and Public Power Director Tom Cooper had worked closely with the city attorney on this issue. They have been coordinating the development of zoning and system connection regulations related to solar power facilities, which has been an ongoing process for several years.

Bradley explained that while Chapter 50 (Electricity) does not require Planning Commission approval, Chapter 156 (Zoning) does, and the goal is to bring this to the City Council by August 21. The proposed amendment includes three new definitions: “solar facility,” “roof-mounted array,” and “ground-mounted array.” Each zoning district would have clarified allowances:

- Multiple Use, Agricultural, and Rural Residential: Only roof-mounted solar arrays are permitted.
- Residential and Multi-Family Residential: Also limited to roof-mounted solar arrays.
- Commercial Districts: Permitted use limited to rooftop arrays.
- Industrial/Manufacturing Districts: Both rooftop and ground-mounted arrays would be allowed.

Bradley acknowledged an addition to the draft language that specifies the following constraints:

- Rooftop arrays cannot exceed the surface area of the roof or the zoning district’s height limits.
- Ground-mounted arrays in industrial zones cannot exceed one acre and must be fully screened on all sides with eight-foot privacy fencing. Chain link fencing with slats does not qualify as acceptable screening.

Bradley noted that, with the Planning Commission’s consent, he would update the language before forwarding the draft to the City Council.

Commissioner Manning requested clarification about what qualifies as a privacy fence if chain link with slats is disallowed. Mark Bradley suggested materials like vinyl or masonry. However, he acknowledged that eight-foot vinyl fences are uncommon and deferred to City Administrator Derek Oyler for further clarification.

Oyler explained that public safety is the primary concern. Chain link fences with slats are ineffective in preventing vehicle intrusion, posing safety risks to first responders. He

explained that during permitting, the city would assess the proximity to pedestrian or vehicular traffic and require more secure fencing if needed. The discussion emphasized that while chain link with slats is excluded, the intent is not to prohibit flexibility but to ensure adequate privacy and safety through case-by-case evaluation. Privacy and aesthetics are considerations, but safety is paramount.

Following the ongoing discussion about privacy fencing for ground-mounted solar installations, Tom Cooper from Brigham City's Public Power Department provided additional context. He explained that the eight-foot fence height requirement is tied directly to the National Electrical Code (NEC) for power generation facilities. Specifically, if a fence is shorter than eight feet, it must be topped with razor wire to meet code, which is undesirable from an aesthetic standpoint. Vinyl fencing is typically limited to six feet due to stability issues, making it unsuitable for the level of protection required. As such, masonry walls are often more appropriate in high-security or vehicle-accessible areas. However, Cooper confirmed that evaluations will continue to be handled on a case-by-case basis, particularly in controlled environments removed from public or vehicular access.

Commissioner Coppieters asked whether existing solar customers who might not meet the proposed standards would be allowed to continue their operations. City staff confirmed that existing installations would be grandfathered under the previous code.

Commissioner Coppieters also asked a question regarding the proposed one-acre limit for ground-mounted solar arrays in industrial zones. City Administrator, Derek Oyler clarified that this limitation is tied to Chapter 50 of the city code, which governs electrical systems rather than zoning. The primary concern here is grid saturation and public safety, not simply land use. As solar technology continues to evolve, city staff emphasized that Chapter 50 would allow for adaptations based on output capacity rather than just acreage.

Commissioner Constantineau inquired about the potential for solar panels on larger agricultural properties. City Administrator, Derek Oyler explained that current policy restricts these zones to roof-mounted arrays only. This is due to safety concerns for both utility workers and nearby residents. While fencing for ground-mounted panels in industrial zones is required for safety, staff felt that allowing ground-mounted systems in agricultural areas was not the best land use decision due to similar safety risks.

Commissioner Manning offered a scenario involving solar panels on a carport roof and asked how that fits into the city's safety framework. Derek Oyler responded that solar panels on carports are not specifically prohibited. However, any such structure would be subject to review, particularly regarding its snow-load capacity. Carports not designed for heavy loads may not meet safety standards when combined with the weight of snow.

and solar panels. Each installation would therefore be evaluated individually by the city's third-party solar design reviewer.

Public Hearing

Motion: Commissioner Coppieters moved to open the public hearing. Commissioner Constantineau seconded the motion, which passed unanimously.

No public Comments.

Motion: Commissioner Herbert moved to close the public hearing. Commissioner Coppieters seconded the motion, which passed unanimously.

Motion: Commissioner Coppieters moved that the Planning Commission, acting as the recommending body to the City Council, recommend approval of application #25-047 including the revised text presented by Mark Bradley during the meeting and subject to Staff comments, Findings of Fact, and stipulations as noted. Commissioner Herbert seconded the motion and it passed unanimously.

Application #25-049 / Conditional Use Permit ¹ / Major Home Occupation – Mobile Food Vendor – Smoke Meat / 51 South 400 West / Don Carlopoli, Papa Fatsos

Assistant Planner Zane Billings, introduced the application, explaining that the applicant would use a food trailer parked on gravel near the driveway to smoke meat for off-site sales. The smoker is electric and would operate no more than two days per week, with each smoking session lasting up to 24 hours. The business plan was submitted with the application, and the city had received one letter of support from a neighbor.

Applicant Don Carlopoli addressed the Planning Commission and introduced himself as co-owner of Papa Fatsos, along with his wife and son. He explained that their primary product is pulled pork, which requires slow smoking to reach an internal temperature of 210 degrees for proper preparation. This process takes around 24 hours, and it is proposed to occur a couple of nights per week in preparation for weekly food sales. Carlopoli expressed their intent to grow the business and eventually move beyond trailer operations.

Commissioner Crane asked two questions. First, whether the smoking schedule would be fixed or rotating and second what precautions are in place for fire and safety? Carlopoli explained it would be the same two nights per week. He also clarified that their smoker is housed within the food trailer and vented properly. The trailer is situated at least ten feet from the house, in compliance with staff recommendations. Carlopoli further stated that the system includes a fire suppression unit and fire extinguishers.

Commissioner Coppieters inquired about additional safety concerns regarding unattended overnight smoking. Carlopoli acknowledged that the smoker would run overnight without supervision but reassured the Commission that their vent system includes a cable-triggered suppression mechanism to control any potential fire.

Commissioner Constantineau asked additional questions about the equipment itself. Carlopoli confirmed that the black unit shown in submitted photos was the electric smoker, capable of preparing eight pork butts at once. It includes a water pan to maintain moisture and a vent system that directs smoke upward, minimizing lingering odors.

Commissioner McConkie asked about its power source. Carlopoli explained it currently runs via an extension cord from the house, but he intends to install a dedicated electrical circuit in the near future. His outdoor electrical setup is already in place to accommodate the unit.

The conversation shifted to the question of limiting operations to two nights a week. Carlopoli indicated that two nights were requested to align with a previous food truck approval but acknowledged that more flexibility might be beneficial. For instance, additional smoking nights could help with large orders or growing demand. While he expressed a desire not to exceed two nights unnecessarily, he asked whether a third night could be considered if needed. It was stated that such a change would require new paperwork and an updated application.

Mark Bradley emphasized the importance of evaluating the impact of any home occupation conducted outside the main residence, especially in cases where cooking or smoking produces strong odors. While neighbors may enjoy the scent initially, a constant aroma, even a pleasant one—can negatively affect the residential character of the neighborhood over time. He stressed that while this application is consistent with past approvals, the Planning Commission should remain mindful of the potential for cumulative impact.

Commissioner Crane asked whether the applicant had reached out to neighbors beyond the one who submitted a letter of support. Carlopoli explained that while he has a good relationship with immediate neighbors he did not engage in broader outreach to avoid appearing coercive. He intentionally allowed the formal notification process to unfold without added pressure so neighbors could respond freely. He did confirm that some neighbors are customers and regularly visit the food trailer.

Mark confirmed that notification letters were indeed sent to surrounding property owners in accordance with standard procedure.

Public Comment:

Cynthia Carlopoli: Cynthia, spoke to clarify that their smoker does not use charcoal but small wood pellets, which significantly reduce the smoke output. She emphasized that the emissions are minimal and often unnoticeable.

Gino Carlopoli: Gino provided further technical details regarding the smoker's safety features. The smoker includes a high-heat sensor that automatically shuts the unit down if it overheats. In addition, they have been advised to add an electrical kill switch that cuts power to the trailer's receptacle in the event the suppression system is triggered. Gino confirmed the system allows 40 hours of smoking on a full hopper at their current settings and emphasized the clean burn of pellet fuel.

Motion: Commissioner McConkie moved that the Planning Commission, acting as the Land Use Authority, approve application #25-049 as submitted subject to Staff

comments, Findings of Fact, and stipulations as noted. Commissioner Crane seconded the motion and it passed unanimously.

Application #25-050 / Amend North Point PUD ¹ / Modify Portion of Phase 4 / 1100 North and Main Street / Parker McGarvey, Visionary Homes

Mark Bradley introduced the item and noted that Parker McGarvey from Visionary Homes was present to speak to the request. The amendment proposes a shift from two single-family residential lots to five townhome units in that section. Mark clarified that this section would be the only front-loaded townhome section in the entire project. All other townhomes are rear-loaded, maintaining a consistent appearance. However, due to the size and shape of the lots in this area, rear-loading is not feasible. Despite the increase from 188 to 189 townhome units, which would exceed the development agreement's cap, the overall project remains below the maximum density of 226 units (currently at 212).

Parker McGarvey, representing Visionary Homes, thanked the Commission and echoed much of the background information already shared. He explained that the two lots proposed for change are isolated between existing and future town home development, making them feel out of place as single-family homes. Switching them to townhomes offers a more cohesive neighborhood layout. He acknowledged that these would be the only front-loaded units but emphasized that the architectural design would be consistent with the rest of the project and compatible with the surrounding environment.

McGarvey addressed concerns about appearance, explaining that there would be no adjacent or opposing units that could cause visual or logistical conflicts. The design avoids traffic complications or safety hazards.

Commissioner Manning inquired about the area east of the proposed townhomes, asking whether it was designated open space or potentially wetlands. McGarvey confirmed that much of the surrounding land is preserved open space and includes wetlands. He described the wetlands as an unexpected benefit to the project that had turned out to be a visually and ecologically valuable asset.

Commissioner Coppieters clarified that the sole reason the amendment was necessary was the desire to convert two previously designated single-family lots into five townhomes. Parker confirmed this was correct, emphasizing that the original lots are difficult to build single-family homes on due to size constraints and would likely have required a variance for rear setback requirements. The reconfiguration to townhomes made more practical use of the space and created a more cohesive transition to the neighboring townhome development to the north.

It was also clarified that the stub street to the north—now shown in the revised plans—had not originally been planned and was a concession made by the developer at the request of UDOT and the city to preserve future access to the Cardamine Village project north of the site.

Commissioner Constantineau addressed whether the proposed design meets the city's minimum setback requirements. It was noted that while some plans showed 21 feet from road to garage, the city's standard requires 22 feet to prevent vehicles from overhanging sidewalks. This may require minor adjustments.

Commissioner Herbert asked why Visionary Homes didn't reduce the number of proposed units from five to four, as there were other areas of the development with just four-unit townhome buildings. Parker responded that the original count aimed to match the 188 cap and that they likely miscalculated, resulting in an unintended increase to 189. Still, he noted that the site could accommodate five units if adjusted slightly, and even with the additional unit, they were still well under the maximum allowable density.

The conversation shifted to guest parking. Commissioners asked where guests would park if five townhomes were built in this location. Parker explained that although this section does not show designated guest spaces, there are two-car garages and two-car driveways per unit. Additional parking for guests could be in the park areas.

City Planner Mark Bradley elaborated that most existing guest parking throughout the development backs into private alleys rather than public roads. Allowing additional parking along a curved public road could create safety hazards. Commissioner Constantineau floated the idea to reduce the proposed units from five to four and use the space gained to add two guest parking stalls.

Parker agreed that reducing the count to four units and adding guest parking was feasible, though it would tighten spatial layout slightly. He acknowledged that while five units would be more economically beneficial, the revised plan with four townhomes and guest parking could work and meet city expectations.

Motion: Commissioner Coppieters moved that the Planning Commission, acting as the recommending body to the Land Use Authority, recommend approval of application #25-050 subject to Staff comments, Findings of Fact, stipulations as noted but with a key revision: approval of four townhome units instead of the requested five, along with two designated guest parking stalls in place of the fifth unit. Commissioner Herbert seconded the motion and it passed unanimously.

Motion to adjourn

Motion: Commissioner Herbert moved to adjourn the meeting. Commissioner Constantineau seconded the motion, which passed unanimously.

The meeting was adjourned at 7:07 p.m.

This certifies that the regular meeting minutes of August 5, 2025, is a true and accurate copy as approved by the Planning Commission on August 19, 2025.

Signed: Destry Larsen

Destry Larsen, Administrative Assistant