

Plain City Commission
Minutes of Meeting
April 25, 2024

Plain City Planning Commission met in a regular meeting at City Hall on Thursday, April 25, 2024, also accessible via ZOOM beginning at 7:00p.m.

Present: Chairman Jenkins
Commissioner Maw
Commissioner Neil
Commissioner Faulkner
Commissioner Skeen
Commissioner Ortega

Staff: Tammy Folkman, Dan Schuler

Attendees: Parker McGarvey, Trent Meyerhoffer

Zoom Attendees: Alan Tebbs, Mike Phillips

Welcome: Chairman Jenkins

Pledge of Allegiance: Commissioner Skeen

Moment of Silence/Invocation: Commissioner Neil

1. Roll Call: Chairman Jenkins directed roll call. Commissioners Maw, Ortega, Skeen, Neil, Faulkner and Chairman Jenkins were all present.

Opening Statement: Chairman Jenkins

2. Ex Parte: Commissioner Faulkner mentioned getting a phone call from Shawn Iverson regarding the property across the road from him. He has heard that Ivory Homes has made an offer to buy the land and they have been down to the county to see what they can develop there. She said it hasn't been confirmed it is just what he heard. Commissioner Neil had a discussion with some farmers about water shares and times, especially flood irrigation. He will cover this more in commission comments. Chairman Jenkins had a conversation with the Tebbs today about the pool ordinance. He will talk more about it when we talk about the pool ordinance.

3. Public Comments: none at this time

5. Approval of Meeting Minutes for April 11, 2024

Commissioner Maw motioned to approve meeting minutes for April 11, 2024. Commissioner Faulkner seconded the motion. Commissioners Maw, Neil, Skeen, Faulkner and Chairman Jenkins voted aye. The motion carried.

6. Technical Review Report: Pleasant Plains Ranch

Commissioner Neil felt blindsided when he came to technical review, he had not been given anything before the meeting. He mentioned there were two people from Reeves and Associates and Brady from Bona Vista, as well as our engineer and legal and the Jacksons as well as Pat Burns and Dan. He mentioned they showed drawings of the master plan. They are anticipating this to be a 20–30-year plan. He said secondary water was a concern, what they are proposing is a 10-acre open pond they will be able to pump from. He mentioned in

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our ordinance it does say you have to go with either Pineview or Mountain View for water, but he did say there are exceptions to that. He said the plans show that they are moving the West Weber highway up further east. He did say they are meeting with UDOT about this. He indicated their density is very high, and he did mention that they need to coordinate with the schools and the churches. He stated that Craig Jackson is going to get with our legal to draft up a development agreement. Commissioner Neil did ask to receive the drawings digitally so he would have time to look at them. He indicated that he talked with legal after, and mentioned in the past planning was able to recommend to city council any recommendations. He was wondering if Brandon would like planning to send any recommendations. Brandon said he was going to get started on it with Craig Jackson. Brandon suggested we have a meeting with the planning commission and city council. Commissioner Neil's concern was we won't have the input we want but it does have to come to planning with the overlay application for review. Commissioner Faulkner mentioned it will have to be a zone change. Commissioner Maw is concerned this will turn into a PRUD.

7. Legislative Items:

Discussion: amend Zoning Ordinance for Swimming Pool, Private

Chairman Jenkins said it was mentioned to legal about the *pending ordinance* and legal said he has never heard of this and we can't do it. There will need to be a public hearing and also be approved by city council. Chairman Jenkins did say he called and gave the Tebbs and update. The Tebbs asked if they could do a conditional permit. Chairman Jenkins indicated they were turned down for a variance so he doesn't think they can do a conditional permit. Trent our building inspector indicated he has never issued a conditional permit unless it has been approved by the city council. He indicated once we have a public hearing and it goes to city council and it is approved then he can issue the permit. Chairman Jenkins wanted to talk about any changes to the ordinance they would like to make. Commissioner Neil mentioned taking out ~~7. On a corner lot where the rear lot line is coterminous with a side lot line of an adjoining lot, it shall be located not less than twenty five feet (25') from such lot line;~~ Chairman Jenkins mentioned number 7 was the whole reason this was brought up, but if there are other changes now is the time to do it. He also mentioned taking out ~~5. It shall not be less than twenty feet (20') from any neighbors' nonlivable area, which includes, but is not limited to, the garage, carport, or storage areas;~~ and he mentioned number 8 *requires a 6-foot fence with an automatic closing gate*. Chairman Jenkins had a conversation with Trent, Trent said international swimming pool code specifies that you either have to have a 6-foot-tall fence or an automatic pool cover. He did say most every city he works with has the 6-foot fence ordinance. Commissioner Ortega asked if anything we don't specify will refer back to the state code? Trent said it would. The state follows the international pool and spa code. Commissioner Faulkner would like to leave the fence code in our ordinance. Everyone agreed to leave number 8 the same. Commissioner Ortega had some concerns with number 4, he felt it might restrict a neighbor if someone puts in a DADU 5 feet off the property line, it may restrict where the neighbor can put their pool, everyone agreed to add primary to number 4. *4. It shall not be less than thirty feet (30') from any neighbor's primary dwelling, or twenty feet (20') from any side lot line of an adjacent vacant lot;* Trent did mention it could be an issue with a DADU or a pool in the future. Commissioner Faulkner asked where you would measure from. She mentioned she did talk with Trent and he measures from the water's edge. She felt like 10 feet to the water's edge might be better. Chairman Jenkins mentioned his concern would be you would create a lot of dead space, and some people don't have a big yard. He is in favor of keeping it 6 feet. They added from water's edge to property line of the property. *3. It may not be located closer than six feet (6') from water's edge to property line of the property on which it is located;*

Motion: Set Public Hearing for May 23, 2024 to amend Zoning Ordinance for Swimming Pool, Private
Commissioner Faulkner motioned to Set a Public Hearing for May 23, 2024 to amend Zoning Ordinance for Swimming Pool, Private. Commissioner Neil seconded the motion. Commissioners Maw, Neil, Faulkner, Skeen and Chairman Jenkins voted aye. The motion carried.

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Discussion: amend Subdivision Regulations, Phasing 11-3-7 (D) 30 lots

Chairman Jenkins read what Dan would like in the ordinance. *The second access known as a collector road providing ingress and egress for a proposed subdivision. Shall be required when more than 30 lots are gaining access, must be calculated in combination with any and all planned or existing lots/subdivision using the same access.* He asked Dan, if it has in the ordinance the width of a collector road. Dan indicated it is in the public works standards it is 66 feet. Commissioner Neil would like to have standard residential roads also in here, the width would be 60 feet.

Motion: Set Public Hearing for May 23, 2024 to amend Subdivision Regulations, Phasing 11-3-7 (D) 30 lots
Commissioner Skeen motioned to Set Public Hearing for May 23, 2024 to amend Subdivision Regulations, Phasing 11-3-7 (D) 30 lots. Commissioner Faulkner seconded the motion. Commissioners Skeen, Neil, Faulkner, Maw and Chairman Jenkins voted aye. The motion carried.

8. Administrative Items:

Discussion: Homestead Acres approx. 3500 W 3075 N 22 lots Parker McGarvey

Chairman Jenkins mentioned we have a representative here for Homestead Acres, he wanted to let everyone know this is an incomplete application and this is just a discussion and the clock has not begun for the phases yet. Parker mentioned they are not looking for a rezone there are 22 lots, he said it is pretty standard. Commissioner Faulkner asked what makes it incomplete. Tammy indicated we don't have the water receipts and we have not received Parker's comments back from our engineer's comments. Parker asked Dan if he had heard anything from Brad about the sewer. Dan talked with Brad; Brad said the lift station should be fine to take on the additional 22 homes. He also talked about running a trunk line down in Phase 4 of Stillcreek to relieve some of that pressure. Commissioner Faulkner asked Parker if phase 4 had all the amenities in it. He indicated that it does. Commissioner Neil mentioned a nature trail from Stillcreek to the rail trail. Parker said there is a drainage easement that acts like a natural trail. Commissioner Neil stated the geo technical study was done when we were in a drought. Parker indicated the Army Core of Engineers has done a study on the land as well. Commissioner Maw asked if they had a detention basin on the plat, he was wondering if anything else was in there. Parker said it was just a detention basin. Commissioner Faulkner was wondering if they would be doing sidewalks. Parker stated they are doing sidewalks. Commissioner Faulkner mentioned because it is in an A1 zone you don't have to do sidewalks and it might give Homestead some flexibility to do a trail in the back of the property. Parker is wondering if the city would be willing to maintain the trail. Commissioner Faulkner was not sure about that. Chairman Jenkins asked Parker if he had a chance to look at all the engineers' comments, Parker indicated he had. Chairman Jenkins was wondering if our engineer had seen Parker's comments. Tammy said she had not gotten them from Parker yet. Parker suggested they talk through the comments from our engineer. Comment number 1 was about the water it had already been discussed. Number 2, no existing floor below ground surface. Parker mentioned the whole area can get standing water but the whole area will be brought up so they don't get the water in the homes or on the streets. The homes will not have basements. Number 3, the sewer, Parker said it has been discussed earlier. Number 4, parcel must be cleared for detention pond. Parker indicated it will be taken care of and there will be a maintenance access to the pond it won't cross over the road. He said it will all be on the plans. Number 5, existing ditches will be fenced and number 6,7 streetlights and flood plains need to be shown on

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the plans. He also mentioned it is not in a FEMA flood plain. Parker asked if we approve it on condition or does he have to come back in? Commissioner Faulkner indicated he will need to come back with a complete application. Commissioner Skeen indicated the lot frontages are supposed to be 150-foot frontage width, he said some of them are but a lot of them are not 150 feet. He stated lots 2, 3, 4, 9, 10, 13, 14 do not have the right frontage. Parker will provide measurements for these lots. Tammy mentioned to Parker if he has all his boxes checked on the check list, she gave him, it should make his application complete. She mentioned it will go to Dan, Brad (engineer) and Brad (Fire Marshall) as well as Chairman Jenkins to look over to make sure it is a complete application. If it is complete then the clock starts for the 15-day review process. Parker asked about the addresses. Tammy mentioned his engineer will provide the addresses and our engineer will check them to make sure they are right. Commissioner Faulkner would like to see them get going on the amenities for Stillcreek. Parker indicated he was hoping it would be later this year or the first part of next year. He said they were waiting for the Marriotts to see what they were going to do with the sewer trunk line. Dan mentioned they did have a meeting today about that. Commissioner Skeen mentioned to Parker to check the lot development standards, he indicated it is not right on the plat. It should be a 40-foot front yard setback not a 30 foot as well as a 150-foot frontage.

9. Report from City Council: meeting was canceled

10. Commission Comments: Commissioner Skeen mentioned the setbacks on the assisted living, he didn't understand the setbacks being in the rear. Commissioner Faulkner is wondering how they let them decide that the back of the property is the side yard. Trent did go over and measure and it is 10 feet. Commissioner Faulkner is wondering how Wasatch Peaks got a sign that is lit up, she is frustrated about trying to keep the lights low on that road. There was talk about the berms and that they are too small. Commissioner Neil brought up the water issues that were mentioned in technical review, he also brought up the Bar W's 154 water shares. He said that is not enough shares for 8 homes to flood irrigate. Commissioner Skeen mentioned he had to turn over 100 shares for his 6-acre subdivision. Commissioner Neil said Jacksons were shifting their road up towards the east. He thinks Bar W should have run their road straight so it would hook into the one on 4000. Commissioner Faulkner is wondering who proposed doing a development agreement with the Jacksons? She is wondering who told legal it was okay to spend hours doing a development agreement. Commissioner Maw indicated it was their engineer. He also said planning commission has the right to say we are not going to do that. If we have good justification, per what Craig Call said. Commissioner Faulkner feels like people in the city should know what is going on and she doesn't think this is right. Commissioner Neil feels we should require a 60-foot right of way in the Bar W subdivision, right now it is a 50-foot right of way. Commissioner Skeen mentioned what a good job Weber County has done on their roads going out west to prepare for future growth. He feels we need to do the same thing with our future infrastructure. Commissioner Neil mentioned talking with Diane, she thought someone from planning and city council should work with legal on the development agreement for the Jackson property. Commissioner Maw sent everyone an email for the dark sky ordinance, it was for a canyon, he will try to find a template for a city.

11. Adjournment

Commissioner Faulkner moved to adjourn the meeting at 8:33pm. Commissioner Skeen seconded the motion. Vote: Commissioners Maw, Neil, Faulkner, Skeen and Chairman Jenkins voted aye. Motion carried.

City Council Meeting: May 2 - Commissioner Maw

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<u>JENKINS</u>	<u>ORTEGA</u>	<u>MAW</u>	<u>NEIL</u>	<u>FAULKNER</u>	<u>SKEEN</u>
JAN 4	JAN 18	FEB 1	FEB 15	MAR 7	APR 4
MAR 21	APR 18	MAY 2	MAY 16	JUN 6	JUN 20
JUL 4	JUL 18	AUG 1	AUG 15	SEP 5	SEP 19
OCT 3	OCT 17	NOV 7	NOV 21	DEC 5	DEC 19

If you are unable to attend on your assigned night, please make sure someone goes in your place

Planning Commission Chair

Planning Commission Secretary