

Plain City Commission
Minutes of Meeting
August 24, 2023

Plain City Planning Commission met in a regular meeting at City Hall on Thursday August 24, 2023, also accessible via ZOOM beginning at 7:00p.m.

Present: Chairman Faulkner
Commissioner Maw
Arrived 7:13pm Commissioner Skeen
Commissioner Ortega
Commissioner Neil
Commissioner Jenkins

Staff: Tammy Folkman, Dan Schuler-Zoom

Attendees: Rhett Wheeler, Tanner Thompson, Erick Thompson (Troop 724)

Zoom Attendees: Bruce Parker

Welcome: Chairman Faulkner

Pledge of Allegiance: Tanner Thompson-Troop 724

Moment of Silence/Invocation: Commissioner Jenkins

1. Roll Call: Chairman Faulkner directed roll call. Commissioners Maw, Ortega, Jenkins, Neil and Chairman Faulkner were present. Commissioner Skeen arrived at 7:13pm
2. Opening Statement: Chairman Faulkner
3. Ex Parte: Commissioner Maw had a conversation on Facebook with Ken Morgan who lives on North Plain City Road. He wants to rent out his RV. Commissioner Maw mentioned that he may want to talk with the city before doing this, to make sure he is in compliance.
4. Public Comments: none at this time

5. Approval of Meeting Minutes for August 10, 2023

Commissioner Maw motioned to approve meeting minutes for August 10, 2023 Commissioner Ortega seconded the motion. Commissioners Maw, Ortega, Jenkins, Neil and Chairman Faulkner voted aye. The motion carried.

6. Technical Review Report: Commissioner Jenkins mentioned that the owner of Warrens, Kirk Dean came in to show us their site plan. He said it looked good. He mentioned that Commissioner Neil had a few questions about how many tables would be in the restaurant to how many parking spots were outside. He indicated they were 2 spots short on parking. Mr. Dean will get with the owner of Kents to make sure they can use some of Kents parking. The questions were brought up about if they would have outdoor seating, as well as signage on the north side. They said they would not have outdoor seating and the sign on the north side would not be lit up but the sign on the south side would be. Commissioner Jenkins reminded them they would need a berm on the north side of the building so headlights are not shining in the neighbor's yards.

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7. Legislative Items:

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

Commissioner Jenkins mentioned that on lot 21, 22 there is not a full 100-foot front. He also mentioned a letter from Pineview, he is wondering if we have received that. Chairman Faulkner said our engineer has approved everything. Commissioner Jenkins was good going with our engineer's approval. Commissioner Neil said his concern was the 100-foot front, he also said all the engineers' comments have been addressed. The frontage is only short 3 inches. Shad Christensen indicated there should be a revised plat dated June 18, 2023, commissioners only have the May 9, 2023 plat. Mr. Christensen was wondering if the commissioners would be willing to give final tonight and he will have the revised drawings to us tomorrow. Everyone felt fine with that. Commissioner Ortega said he didn't see the curb, gutter and sidewalk on the plat. Chairman Faulkner indicated there was an agreement between the city and the developers along 3600 West, that curb, gutter and sidewalk will be done with a grant that the city has been able to get. Commissioner Ortega was wondering when all this will be done. Dan mentioned that the irrigation ditch has been covered up and the project is scheduled for some time next year. Commissioner Ortega asked about 2200 North, Dan indicated that Robson Farms will be responsible for the sidewalk on 2200 North, just the length in front of their property on the north side. Commissioner Ortega is wondering if we should see that on the plat? Chairman Faulkner said it is in our ordinance that the developer will need to take care of the sidewalk before they start building, she also indicated that Dan will be watching this.

Commissioner Jenkins motioned to recommend approval to City Council for final for Robson Farms Phase 4 approx. 2200 N 3600 W 4 lots, contingent on receiving the new plat with 100-foot frontage on all lots. Commissioner Maw seconded the motion. Commissioners Maw, Skeen, Neil, Jenkins and Chairman Faulkner voted aye. The motion carried.

Discussion: Housing Element Plain City General Plan update

Mr. Bruce Parker presented a rough draft for the housing element to the general plan. He indicated we have 90 days after we receive the notice from the State that we are not compliant, as of right now we have not received any notice from the State. Mr. Parker would like to come back on September 14, 2023 to discuss the housing element public hearing draft. It is heavy on moderate income housing matters, that are required by the state, he would like to make it more robust and comprehensive not just moderate-income housing. He feels we need to address other housing issues that Plain City has and include it in the housing element. He would like to have a public hearing on September 28, 2023 then make recommendation to City Council that same night or come back in October to make the recommendation to approve this section of the general plan. **He would like the planning commission to review the document and email Tammy any other items that you would like included in this document before September 14, 2023.** The document is a work in progress it is a draft only right now. He indicated we need to have language lifted right out of state code. There will be reporting annually on moderate income housing strategies. The State and the legislature are very focused on moderate income housing. Chairman Faulkner was wondering if we could find a way to track people who are renting, would that help with getting our numbers up. Mr. Parker mentioned if people are renting to a son or daughter, they may not report it, so it would be very hard to track. Mr. Parker would like Tammy to make a note of houses that might be renting out their basements so we can add it into the moderate-income housing plan. He will reach out to Weber Housing to see if they have better information than what he has gotten from the census. He indicated that we have higher owner-occupied houses than the rest of the County. We have such a small base of renter occupied units and that is not good for us. He would like the housing element to work closely with the land use element he doesn't want any inconsistencies. Commissioner Ortega was wondering what kind

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of adjustments would we need to make to the land use element. Mr. Parker said there are some places in the city that have high ground water we really don't want to see development in those areas. We want to move those zones somewhere else in the city that would be much more suitable and protect those areas for open space or other amenities for the city. The city should not be involved in protecting people's personal property when they are building on high ground water. He also mentioned maybe making adjustments to the external and internal accessory dwellings depending on what the State is going to allow or not allow. Chairman Faulkner mentioned that it could be when Utah State Law is being changed and then we would need to adjust our ordinances. Mr. Parker would like to position our city so when the Department of Workforce Services looks at our plan, they say this is how it should be done across the State. Commissioner Maw was wondering if there is a way to break down the income of residents into age brackets to determine the median income and to see why the 20-29 age bracket and 65 and above age bracket are not in our city right now. Mr. Parker has picked six strategies that the State of Utah has for moderate income housing.

The six (6) strategies adopted by Plain City are,

*1) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing (§10-9a-403(2)(b)(iii)(B), Utah Code). 2) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones (§10-9a-403(2)(b)(iii)(E), Utah Code). 3) Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers (§10-9a-403(2)(b)(iii)(F), Utah Code). 4) Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities (§10-9a-403(2)(b)(iii)(H), Utah Code). 5) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing (§10-9a-403(2)(b)(iii)(O), Utah Code). **Mr. Parker is thinking we can partner with Weber Housing Authority, he will reach out to them and see what needs to be done.** 6) Demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing (§10-9a-403(2)(b)(iii)(X), Utah Code). Mr. Parker feels if we do six strategies it will put us in a priority position for transportation funding. **He would like help from the planning commission to help fill in the boxes to help achieve success over the next five years.** The requirements are Strategy, Required Action, Lead Participants, Timeline, Success Measures and Available Resources. He indicated we just need to provide opportunities for moderate income housing in our city. Chairman Faulkner said we don't want to give up the zoning for smaller lots. She said we provide smaller lots for builders to build on and they build big houses on those lots and it doesn't fulfill the moderate-income housing. Mr. Parker said we have to have the State mandates but we can do it in a way that doesn't compromise the general plan of Plain City.*

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Motion: Set Public Hearing on September 28, 2023 for Housing Element draft for the Plain City General Plan update.

Commissioner Neil motioned to set a public hearing for the Housing Element draft for the Plain City General Plan update on September 28, 2023. Commissioner Maw seconded the motion. Commissioners Maw, Skeen, Jenkins, Neil and Chairman Faulkner voted aye. The motion carried.

Discussion/Motion: Amending Zoning Ordinance- 10-2-1: Definition-Building Height

Chairman Faulkner mention amending the definition of the building height, she mentioned that the new definition was taken from Marriott Slaterville's definition. Everyone liked the new definition.

Commissioner Jenkins motioned to table the amending zoning ordinance- 10-2-1: Definition-Building Height. Commissioner Skeen seconded the motion. Commissioners Maw, Skeen, Jenkins, Neil and Chairman Faulkner voted aye. The motion carried.

8. Administrative Items: None at this time

9. Report from City Council: Commissioner Skeen

Commissioner Skeen mentioned a lot of people being at the City Council meeting about a piece of land that was bought on North Plain City Road that has a barn on it. He mentioned there were rumors that there was going to be some kind of events center on it. He mentioned that there would be a lot of road blocks to do something like this. He mentioned that City Council was hoping some of the stipulations were pointed out to the person who bought the lot before they purchased it. Commissioner Skeen also pointed out that the lot was one parcel to begin with but now it is two parcels. He doesn't remember seeing this come through Planning Commission. Commissioner Neil mentioned that the new owners of the lot were recommended to come to a technical review, but they never did come. Commissioner Maw indicated if you have 50 or more people in a building the building codes change on what you can and can't do in that building. Commissioner Skeen mentioned that the detached accessory dwelling unit ordinance passed they made one change to clarify that it was a single-family dwelling not to be rented as individual rooms. Freedom Estates was granted an extension. Conditional final on Diamond E passed. Final acceptance of Town Square Estates passed. City Council made a clarification on the zoning of nonresidential treatment facility instead of being a half mile in between they made it a mile. City Council made a 10-parking space minimum on the residents with disability's ordinance. He indicated that the City Council meeting on September 7 was cancelled because of the League of Cities and Towns meeting.

10. Commission Comments:

Commissioner Skeen mentioned the housing element, he is wondering if Planning would like to get together with City Council and see how aggressive we want to be with this. He feels Mr. Parker is doing a great job but he feels we need to help and make sure we are doing the things we want in the housing element. Commissioner Jenkins said if we don't do the housing element and pay the fine of \$250 per day that the State said they will issue, it would be \$20 per family. He doesn't like what the State is asking us to do. Commissioner Neil is hearing that one fourth of the legislature are realtors. He also thinks we need to go back through our notes on the lot on North Plain City Road that Cody Rhees just sold and see what they say about it being open space. Dan said he is working with the county to see how the property got separated into two lots. Dan mentioned doing a walking trail on 1500 North down to 4650 West.

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11. Adjournment

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

Meeting ended at 8:45pm

City Council: September 7 – Canceled

2023

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

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

Planning Commission Chair

Planning Commission Secretary