

**BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY COUNCIL CHAMBERS
Tuesday, 10/7/2025 6:00 p.m.**

PRESENT:	Cindy McConkie Jason Coppieters Kristina Lenderman Garl Waldron Isaac Herbert Mandi Richens Vince Crane	Commissioner- Vice Chair Commissioner Commissioner Commissioner Commissioner Commissioner Commissioner
EXCUSED:	Roger Manning Donny Constantineau Kristen Bogue	Commissioner- Chair Commissioner Commissioner
ALSO PRESENT:	Mark Bradley Destry Larsen	City Planner Administrative Assistant

AGENDA

Pledge of Allegiance

Approval of Minutes

Continuation / Public Hearing ¹ / Application #25-069 / Amend Brigham City Zoning Map / Rezone properties from A-5 (Agricultural) and M-D (Manufacturing-Distribution) to P-R-M-7 (Planned – Multiple Residential) on approximately 260 acres / 400 South and 1200 West / Garth Day, Heritage Land Development

Continuation / Public Hearing ¹ / Application #25-070 / Amend Brigham City Code Chapter 156 Zoning / Establish a new Planned District / Avian Shores Planned District / 400 South and 1200 West / Garth Day, Heritage Land Development

REGULAR MEETING

Regular session opened at 6:00 p.m. by Vice Chair McConkie and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Commissioner Crane moved to approve the minutes for September 16, 2025, meeting. Commissioner Coppieters seconded the motion and it passed unanimously.

The Planning Commission reconvened to discuss continued Applications #25-069 and #25-070, with Vice Chair Cindy McConkie initiating the discussion and requesting updates from City Planner Mark Bradley. Bradley began by clarifying that the public hearing had also been continued to allow for a more comprehensive review of both applications together. He explained that the proposed rezone would shift zoning from predominantly A-5, with a small M-D zoned city-owned portion, to P-R-M-7, aligning with the city's general plan designation of medium-density residential. Although a high-density area near the railroad was noted in the plan, no immediate changes were proposed for that area.

Bradley then transitioned into discussion of the Planned District (PD) portion of the project, explaining that this would create a new zoning district based on an R-M-7 base. Updates since the previous meeting included modifications to maps showing roadway extensions to the railroad, the orientation of the site (with north to the left), and the addition of a neighborhood commercial component at the intersection of 400 South and 1200 West, a location expected to eventually support a traffic signal due to projected volumes and limited rail crossings. This commercial area was envisioned to serve residents locally rather than attract regional traffic.

The residential layout had also been adjusted to reflect improved spacing and traffic flow, with a shift in roadway alignment near the city park to enhance park access and distribute traffic more evenly. Notably, a condominium component was added south of the commercial zone. These units had been mentioned previously but were not clearly represented on prior visual plans. Bradley referenced the inclusion of this product type in the updated documents and deferred to the applicant, Garth Day, for further elaboration if needed.

Bradley reviewed updates made to the zoning text, noting that a redline and clean version were included in the commission packet. Several changes aimed to simplify and clarify the language—such as consolidating permitted uses already allowed under R-M-7, removing redundancy, and clarifying accessory dwelling unit (ADU) policies. Bradley explained that ADUs were retained as a permitted use despite a general restriction against apartments, to maintain homeownership flexibility and ensure compatibility with R-M-7 standards.

Further amendments addressed conditional and permitted uses such as daycare centers and assisted living facilities, and clarified definitions specific to this planned district. New definitions for terms like "apartment," "community recreation facility," "live-work unit," and "private/public park" were added to ensure consistency. In particular, the "live-work" concept prompted discussion among commissioners, with Commissioner Lenderman and others inquiring about ownership structures. Garth Day clarified that multiple models were possible, including single ownership, condominium separation, or investor ownership with rental tenants, and stressed the intent was to remain flexible while encouraging realistic implementation.

In reviewing the neighborhood commercial definition, the commission emphasized keeping it broad yet consistent with the vision of small-scale, walkable retail and service uses. Commissioner Richens recommended including language such as “including but not limited to” when listing business types to avoid unnecessary restrictions. It was also suggested that certain uses—such as gas stations or body art (tattoo) facilities—could be explicitly excluded to preserve neighborhood character. Commissioner Lenderman questioned the gas station exclusion, citing the example of integrated gas services at other grocery stores, but Bradley reiterated that the goal was to limit scale and intensity to foster a local, pedestrian-friendly commercial node.

Examples of allowable businesses discussed included grocery stores, cafes, bakeries, beauty salons, small restaurants, art studios, daycares, and convenience stores without gas pumps. The commission considered additional examples such as music, dance, and karate studios, which would align well with the intended family-oriented demographic of the development. Commissioner Richens cautioned against overly specific listings, emphasizing the need for future adaptability. Garth Day echoed this sentiment, sharing the intention for the area to be service-oriented for residents and ideally positioned near anticipated trail systems and a future transit stop, enhancing its appeal for pedestrians and cyclists alike.

The conversation moved into discussion of traffic and connectivity. Commissioner Coppieters raised concerns about stub streets and fire access, particularly in undeveloped sections where road connections were still conceptual. Bradley and Day confirmed that cul-de-sacs would be discouraged per city code, and that temporary turnarounds would be required when connectivity was not immediately feasible. The infrastructure planning, including 1200 West as a 106-foot-wide, limited-access arterial road, was said to be well underway, with careful attention to alignment and long-term grid planning.

Discussion then returned to commercial scale and site layout. Commissioners and staff emphasized the goal of front-facing commercial structures with rear parking to maintain a more urban, pedestrian-oriented character, distinguishing the area from auto-dominated suburban strip malls. Day supported this approach and reiterated that detailed commercial plans would be submitted through the site plan process. The group considered language specifying that parking should be behind buildings to support this vision.

Operating hours for neighborhood commercial businesses were discussed extensively. Bradley suggested setting boundaries—such as closure between 10 p.m. and 6 a.m.—to ensure compatibility with nearby residences and avoid late-night disturbances. Commissioner Herbert supported limiting hours to reduce noise and traffic, with others noting the city’s existing noise ordinances and similar practices at Walmart and Smith’s. The consensus leaned toward setting 11 p.m. as the latest closing hour, with allowances for earlier opening if necessary. Garth Day noted that additional restrictions could be included in the development’s CC&Rs (Covenants, Conditions & Restrictions), but staff reminded the commission that the city could not enforce CC&Rs directly.

Commissioners also discussed the long-term vision for the community, with Garth Day describing it as a “cradle to grave” development offering a range of housing types—townhomes, patio homes, single-family villas, and potentially 55+ units. While the exclusion of apartments was a point of concern for Day, he accepted it as part of the agreement. The project was expected to include approximately 1,300 housing units at full buildout, with varied options supporting multiple demographics and life stages. The commission acknowledged that a diverse housing stock would be important for local retention and economic health.

The commission reviewed language related to the platting of live-work units and reaffirmed the importance of individual ownership options. Mark Bradley noted the need to clarify whether live-work units must be platted separately or could function under single ownership, with consensus leaning toward allowing both configurations for maximum flexibility.

Discussion continue with review of trail maintenance and hierarchy, with Garth Day confirming a system of multi-use, pedestrian-only, and bike-only paths was planned. Trails dedicated to the city would be publicly maintained, while private trails would fall under HOA responsibility. Day further elaborated on the design of trail systems and streetscapes along 400 South. This corridor would feature an 80-foot right-of-way, wider than typical neighborhood streets, and would include a painted bike lane on the asphalt, separated from vehicle parking. Adjacent pedestrian improvements were described, including tree-lined sidewalks and decorative pavers, replacing the standard grass park strip to create a more urban, walkable environment. The enhanced pedestrian elements were envisioned to distinguish this corridor and provide a high-quality, active streetscape.

The commission then explored how standalone trails—those not integrated with roads—would be differentiated. Signage was a key solution under development through a citywide signage master plan. The proposed signs would include trail names, loop designations, and usage restrictions such as pedestrian-only or no-bicycle trails.

Commissioner Crane acknowledged the unique rural context of the city, where horseback riding might occur. The developer confirmed that a connection under the interstate—an existing underpass—could accommodate such recreational activity in the future. However, it was noted that land ownership outside the project boundaries would limit immediate planning.

Additional trail policy recommendations were discussed, including material standards for dedicated city trails. Staff recommended concrete surfacing for trails under eight feet in width, and asphalt for wider paths, with exceptions for pre-established trails like the historic orchard pathway. Staff also included coordination requirements for privately maintained trails and signage placement, with guidance shifting to Brigham City’s Development Review Team (DRT) for practical implementation. This change would

relieve the Planning Commission from overseeing minor design details while ensuring alignment with city standards.

City Planner Mark Bradley then presented the updated general development and trail plans, highlighting the long-term connectivity goals and trail hierarchy, including regional trails, community corridors, and neighborhood paths. Attention turned to whether the Planning Commission was comfortable forwarding a recommendation to the City Council. Bradley noted that the zoning text would require legal review with the city attorney, as it would become part of the municipal code.

The conversation shifted to a public comment raised in a prior meeting concerning a trust dispute related to the Bar D.D. Ranch. Questions arose regarding the legal standing of the applicant's authority over the property. Garth Day explained that the property is held in a family trust controlled by Pam Allen, who has signed the Real Estate Purchase Contract (REPC) and has legal authority through the trust. Although obtaining the full trust document had proven difficult—due to privacy concerns and Allen being out of town—Day noted that their title company could provide a letter affirming her authority once the trust document was received.

Commissioner Lenderman expressed concern about rezoning property entangled in unresolved family disputes. Day clarified that the inheritance dispute had already been resolved and that the closing of the property transaction hinged only on the final provision of documentation to the title company. Day reiterated that the city does not review trust documents directly but relies on signed affidavits and legal contracts. It was suggested that the Planning Commission include a statement in its recommendation requesting city attorney review of the trust concerns, which would provide additional assurance without delaying the application.

Following this, the commission invited comments as part of the continuation of the public hearings, continued from September 16th.

Continuation of Public Hearings

No public Comments.

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

Motion: Commissioner Coppieters moved that the Planning Commission, acting as the recommending body to the Land Use Authority, recommend approval of application #25-069 subject to Staff comments, Findings of Fact, and stipulations as noted. Commissioner Crane seconded the motion and it passed unanimously.

Motion: Commissioner Herbert moved that the Planning Commission, acting as the recommending body to the City Council, recommend approval of application #25-070 subject to all Staff comments, Findings of Fact, and all noted changes, including:

- Striking the language under Character (e) In Neighborhood Commercial definition referencing 'Limited hours of operation 24/7 not allowed' and include 'hours of not operation 11 pm to 6 am'
- Striking the language under Section (D) Limitations No. 2 referencing 'any type of residential dwelling not platted'
- Modifying the language in Character (c) in Neighborhood Commercial definition to read include 'but not limited to'

Commissioner Coppieters seconded the motion and it passed unanimously.

Motion: Commissioner Herbert moved to amend his previous motion for Application #25-070 to clarify that under Section (D) Limitation No. 2, on the the reference to "live-work units" is to be struck, with the remainder of the provision reamining in place, Commissioner Coppieters seconded the motion and it passed unanimously.

Commissioner Report:

Commissioner Isaac Herbert reported that the recent Box Elder summit was highly informative, highlighting critical topics such as water usage, disappearing farmland, and rapid development changes. He found the data and presentations eye-opening and encouraged others to attend future summits.

Planner Mark Bradley added that the summit featured insights from experts on water banking, farmland preservation, and green space planning. Though some topics seemed more relevant to rural areas, he noted their increasing importance as Brigham City expands westward.

Garth Day, a member of the summit's steering committee, explained that the event is designed for planning and city officials to explore emerging land use issues. He emphasized that development can coexist with agriculture and urged commissioners to participate in shaping next year's summit topics.

Motion to adjourn

Motion: Commissioner Coppieters moved to adjourn the meeting. Commissioner Lenderman seconded the motion, which passed unanimously.

The meeting was adjourned at 7:33 p.m.

This certifies that the regular meeting minutes of October 7, 2025, is a true and accurate copy as approved by the Planning Commission on October 21, 2025.

Signed: Destry Larsen

Destry Larsen, Administrative Assistant