

MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, DECEMBER 11, 2025, IN THE DRAPER CITY COUNCIL CHAMBERS

PARTICIPATING: Andrew Adams, Chair
Commission Member Kendra Shirey
Commission Member Gary Ogden
Alternate Commission Member Christine Green
Alternate Commission Member Laura Fidler

EXCUSED: Lisa Fowler, Vice-Chair
Commission Member Mary Squire
Commission Member Susan Nixon

STAFF: Jennifer Jastremsky, Community Development Director
Todd Draper, Planning Manager
Todd Taylor, City Planner
Nick Whitaker, City Planner
Paul Geilman, Planning Coordinator
Lori Stout, Executive Assistant
Brien Maxfield, City Engineer
Spencer DuShane, Assistant City Attorney

6:30 PM Business Meeting

Chair Andrew Adams called the meeting to order at 6:30 PM.

1. Items for Commission Consideration.

- A. Action Item: Approve Planning Commission Meeting Minutes for November 13, 2025.**
(Administrative Action)
Approval of Planning Commission Meeting Minutes for November 13, 2025.

Motion: Commissioner Ogden moved to **APPROVE** the November 13, 2025 Planning Commission Meeting Minutes, as presented.

Second: Commissioner Fidler seconded the motion.

Vote on Motion: 4-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams				X	
Fowler					X
Squire					X
Nixon					X
Shirey	X				
Ogden	X				
Fidler, Alternate	X				
Green, Alternate	X				

**B. Public Hearing: Butler Zoning Map Amendment Request.
(Legislative Item)**

On the request of Lannea Butler, a Zoning Map Amendment from RA1 to R3, on approximately 1.04 acres, located at approximately 283 E Tanager Lane. Known as application 2025-0241-MA, staff contact: Paul Geilman, (801) 576-6551, paul.geilman@draperutah.gov.

Planning Coordinator, Paul Geilman, presented the staff report and displayed the vicinity, aerial, land use, and zoning maps, as well as site photographs. The subject property is west of 300 East and north of Brown's Pond. The proposed amendment would rezone the property from RA1, with a minimum lot size of 40,000 square feet, to R3, with a minimum lot size of 13,000 square feet. Mr. Geilman reported that the current zone was not consistent with the Residential Medium Density land use designation. However, the proposed R3 Zone conformed to that designation.

Chair Adams opened the public hearing.

Jacob Goodrich stated that his home is immediately adjacent to the subject property, and he fully supported the application.

Kathleen Keller stated that she lives near the subject property and asked how it would be accessed.

There were no further comments. The public hearing was closed.

The applicant, Lannea Butler, stated that they had considered accessing the property from both 300 East and Tanager Lane, but had not yet made a final determination. Chair Adams clarified that the information was not required for a Zoning Map Amendment.

Motion: Commissioner Shirey moved to forward a POSITIVE recommendation to the City Council for the Zoning Map Amendment, as requested by Lannea Butler, Application 2025-0241-MA, based on the following findings and the criteria for approval listed in the Staff Report dated December 1, 2025.

Findings for Approval:

1. The proposed Zoning Map Amendment is consistent with goals, objectives, and policies of the City's General Plan.
2. The proposed Zoning Map Amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. The proposed Zoning Map Amendment is consistent with the standards of any applicable overlay zone.
4. The proposed Zoning Map Amendment will not adversely affect adjacent property.
5. There are adequate facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

Second: Commissioner Ogden seconded the motion.

Vote on Motion: 4-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams				X	
Fowler					X
Squire					X
Nixon					X
Shirey	X				
Ogden	X				
Fidler, Alternate	X				
Green, Alternate	X				

**C. Public Hearing: Jim Duncan Fence Conditional Use Permit Request.
(Administrative Action)**

On the request of Jim Duncan, a Conditional Use Permit to allow for a fence that is taller than six feet (6') on approximately 0.16 acres, located at 296 East Red Leaf Drive, known as Application 2025-0233-USE, staff contact: Nick Whittaker, (801) 576-6522, Nick.Whittaker@draperutah.gov.

City Planner Nick Whittaker presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The property was designated Residential Medium Density and zoned RA2. The applicant requested installation of an eight-foot-tall fence to provide a barrier around a sports court.

The fence would be chain link with a black vinyl coating. Per DCMC 9-7-080(A), fences over six feet but below 10 feet in height require a Conditional Use Permit (“CUP”).

The site plan and photographs were reviewed, and Mr. Whittaker reported that the property consists of two parcels but has historically been treated as a single lot. Potential negative impacts include minor reductions in visibility for pedestrians using the adjacent sidewalk. Proposed mitigation includes:

1. That all requirements of the Draper City Engineering, Building, and Planning Divisions are satisfied throughout the construction of the fence.
2. That the fencing shall not exceed ten feet in height and be constructed in the location indicated on the approved site plan.
3. That the applicant or their contractor shall obtain a building permit for the installation of the fencing in the locations indicated on the approved site plan.

Chair Adams found it interesting that a CUP was required for a chain-link fence.

The applicant, Jim Duncan, stated that he previously ran a home-based business from the shop on the property, but that business had been sold. The existing 0.50-acre asphalt pad had been turned into basketball and pickleball courts. The taller fence will better contain the basket and pickle balls and provide some shade.

Chair Adams opened the public hearing. There were no comments. The public hearing was closed.

Commissioner Ogden stated that it was a straightforward request. The fence would be set back from the property lines, so there would be minimal to no impact on adjoining lots.

Motion: Commissioner Ogden moved to APPROVE the Conditional Use Permit, by Jim Duncan, Application 2025-0233-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff Report dated December 1, 2025.

Findings for Approval:

1. Reasonable mitigation measures are placed on the conditional use to alleviate anticipated detrimental effects.

Second: Commissioner Fidler seconded the motion.

Vote on Motion: 4-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams				X	
Fowler					X
Squire					X
Nixon					X
Shirey	X				
Ogden	X				
Fidler, Alternate	X				
Green, Alternate	X				

D. Public Hearing: Pinnacle Towers Conditional Use Permit Amendment. (Administrative Item)

On behalf of Todd Daoust, representing Commscapes, Crown Castle International, and Pinnacle Towers, Inc., a Conditional Use Permit Amendment request for 0.90 acres, located at approximately 16211 South Minuteman Drive. Known as Application 2025-0328-USE. Staff Contact: Todd Draper, todd.draper@draperutah.gov, (801) 576-6335.

Planning Manager, Todd Draper, presented the staff report and displayed the vicinity, aerial, land use, and zoning maps, as well as the site plan. The subject property is located at the south end of the City in the M2 industrial zone. The lattice tower was approved approximately 24 years previously, with the condition that it must be reviewed at 25-year intervals, and the applicant had requested that the condition be removed. Staff had also determined that the 100-foot height limit set by the original CUP needed to be modified to comply with current Federal regulations.

Elevations and site photographs were reviewed. Mr. Draper reported that lightning rods are not considered part of a structure's height, and the property is fully fenced and gated.

In response to a question, Mr. Draper stated that the property is adjacent to a state park, but paragliders do not land in the area. The approximately 118-foot tower had been in operation for 24 years without issue. The applicant, Todd Daoust, was available to answer questions.

Chair Adams opened the public hearing. There were no comments. The public hearing was closed.

Motion: Commissioner Shirey moved to approve the Conditional Use Permit Amendment, as requested by Todd Daoust, representing Commscapes, Crown Castle International, and Pinnacle Towers, INC, Application 2025-0238-USE, based on the Findings and criteria for approval and subject to the conditions listed in the Staff Report dated November 12, 2025.

Findings for Approval:

- 1. The proposed use is allowed in the M2 Zone, and the specific property is suitable for the proposed use.**

2. Reasonable conditions have been imposed that substantially mitigate the reasonably anticipated detrimental effects of the proposed use.
3. The proposed use is in harmony with the objectives and requirements of the City's General Plan and the zoning ordinance.
4. The proposed use will not be injurious to potential or existing development in the vicinity.
5. The proposed changes do not create additional aesthetic impacts to the surrounding area.
6. The request will not be detrimental to the health, safety or general welfare of the city, the area, or persons owning or leasing property in the area.
7. The lattice tower design is suitable in light of the particular circumstances associated with this location.

Second: Commissioner Fidler seconded the motion.

Vote on Motion: 4-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams				X	
Fowler					X
Squire					X
Nixon					X
Shirey	X				
Ogden	X				
Fidler, Alternate	X				
Green, Alternate	X				

E. Public Hearing: Tamed Beauty, LLC Home Occupation Conditional Use Permit Request.

(Administrative Action)

On the request of Marissa Lacanienta, representing Tamed Beauty, LLC. A Conditional Use Permit for a Home Occupation that provides personal care services, on approximately 0.01 acres, located at 182 East Daisyfield Drive. Known as Application 2025-0214-USE, staff contact: Nick Whittaker, (801) 576-6522, Nick.Whittaker@draperutah.gov.

Mr. Whittaker presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property is zoned R3 and designated Residential High Density. The applicant would operate a home occupation that provides personal care services. Esthetic services are provided at the

subject property on an appointment basis. Only one customer is scheduled per appointment. Appointments do not exceed 60 minutes, and between two and six appointments are anticipated each day. Proposed hours of operation are 8:00 a.m. to 8:00 p.m. Monday through Saturday. An off-street parking stall is provided.

The site plan and photographs were reviewed, and Mr. Whittaker indicated that the off-street parking stall is in a shared driveway with the unit next door. The applicant will park their vehicle in the one-car garage. Services will be provided in a spare bedroom of the home.

Potential impacts include:

- Customers coming to the home.
- Customer vehicles, parking, and related traffic.

Proposed mitigation:

- Customers are by appointment only.
- Limit of one customer at a time.
- One designated off-street parking stall must be provided for all customer vehicles.
- An approval letter from the HOA shall be provided to the staff before issuing a business license.

The applicant, Marissa Lacanienta, stated that she is a solo esthetician and hopes to run her small business from her home. She will offer lash, brow, and waxing services to up to six clients per day.

Chair Adams opened the public hearing. There were no comments. The public hearing was closed.

Chair Adams stated that parking can be a problem in the townhome development, but the dedicated parking stall would mitigate that issue.

Motion: Commissioner Shirey moved to APPROVE the Home Occupation Conditional Use Permit, as requested by Marissa Lacanienta, representing Tamed Beauty, LLC., Application 2025-0214-USE, based on the following Findings for Approval and subject to the conditions listed in the Staff Report dated December 1, 2025.

Finding for Approval:

1. The proposal complies with the standards for approval found in DCMC Section 95-080(E), and potential negative impacts are mitigated through the imposition of reasonable conditions.

Second: Commissioner Green seconded the motion.

Vote on Motion: 4-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams				X	
Fowler					X
Squire					X
Nixon					X
Shirey	X				
Ogden	X				
Fidler, Alternate	X				
Green, Alternate	X				

F. Public Hearing: Granite Construction Yard Site Plan and Deviation Requests. (Administrative Items)

On behalf of Tina Mudd, representing Granite Construction Company and Stack Bangerter LLC., a Site Plan application and associated Deviation requests for approximately 0.85 acres located at approximately 13488 South 200 West. Known as Applications 2025-0103-SP, 2025-0211-VAR, and 2025-2012-VAR. Staff Contact: Todd Draper, todd.draper@draperutah.gov, (801) 576-6335.

Mr. Draper presented the staff report and displayed the vicinity, aerial, land use, and zoning maps. The subject property is located near 13800 South and Bangerter Highway. It is zoned M1 and designated Business and Light Manufacturing.

The site and landscape plans were reviewed. Access to the property will be from 13800 South. Landscaped material bins will be around the perimeter, and a small office building and scale will be located on the east side of the property. There will be a total of four parking stalls.

Mr. Draper reported that the buildings must face the street. However, the staff determined that three of the 10 criteria for deviations had been met per DCMC 9-22-030(B). At least 30% of the property will be landscaped. The primary building material, concrete fiberboard, will exceed the 75% coverage requirement by more than 10%. Proposed conditions include correcting discrepancies in the landscape plan and adding additional plantings to meet the required 75% coverage at maturity. Staff would review the corrected plan before issuance of a building permit. In response to a question raised by Chair Adams, Mr. Draper clarified that the landscape plan includes both shrubs and perennials.

Elevations and site photographs were reviewed. The building will be accessed from the north and have two offices, a restroom, and an open work area. Mechanical equipment on the east side will be screened and landscaped.

An eight-foot-tall fence was indicated on the site plan, but storage yards typically require a 10-foot-tall fence. A recommended condition of approval was that either a 10-foot fence be installed or a CUP application be submitted to reduce the height. The masonry fence will have horizontal articulation, and the side fencing will be chain-link with slats.

Mr. Draper reported that the second deviation request concerned cross-access. The applicant's justification for deviating from this requirement was that the use may be incompatible with potential future uses in the area.

In response to a question from Chair Adams, Mr. Draper reported that the building will be prefabricated but permanent while the business is in operation.

The applicant, Tina Mudd, stated that her company is in agreement with the conditions outlined in the Staff Report and was eager to begin construction. The prefabricated building and scale will be elevated. Architectural elements will be added once the building is installed. One reason for the first deviation request was to accommodate the scale house. They need to provide adequate room for trucks to navigate the site, and the door cannot face the scale, as that would be a safety hazard.

In response to a question from Chair Adams, Ms. Mudd reported that they will store stone and gravel landscaping rocks onsite. Dust suppression systems will be installed to mitigate any dust issues.

Chair Adams opened the public hearing. There were no comments. The public hearing was closed.

Motion: Commissioner Shirey moved to APPROVE the Deviation for Building Orientation, as requested by Tina Mudd representing Granite Construction Company and Stack Bangerter LLC., for Application 2025-0211-VAR, based on the Findings for Approval listed in the Staff Report dated December 1, 2025.

Findings for Approval:

1. The requested deviation is consistent with the purpose and intent of the development standards of the applicable zoning district or land use category.
2. The proposed development satisfies at least three (3) of the criteria listed in 9-22-030(B).

Second: Commissioner Ogden seconded the motion.

Vote on Motion: 4-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams				X	
Fowler					X
Squire					X
Nixon					X
Shirey	X				
Ogden	X				
Fidler, Alternate	X				
Green, Alternate	X				

Motion: Commissioner Ogden moved to APPROVE the Deviation for Cross Access, as requested by Tina Mudd representing Granite Construction Company and Stack Bangerter LLC., for Application 2025-0212-VAR, based on the Findings for Approval listed in the Staff Report dated December 1, 2025.

Findings for Approval:

1. Requiring cross access would create a health hazard by linking uses that are incompatible with each other.
2. The abutting development has not been designed or required to provide reciprocal cross access to the subject property.

Second: Commissioner Fidler seconded the motion.

Vote on Motion: 4-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams				X	
Fowler					X
Squire					X
Nixon					X
Shirey	X				
Ogden	X				
Fidler, Alternate	X				
Green, Alternate	X				

Motion: Commissioner Shirey moved to APPROVE the Site Plan, as requested by Tina Mudd representing Granite Construction Company and Stack Bangerter LLC., for Application 2025-0103-SP, based on the Findings for Approval and subject to the conditions listed in the staff report dated December 1, 2025.

Findings for Approval:

1. The proposal represents development of the entire site at one time.
2. A Site Plan together with the imposed conditions and approved deviations will conform to applicable standards set forth in this title, including but not limited to building heights, setbacks, access points, parking, landscaping, and building materials.
3. The proposed development plans meet the intent, goals, and objectives of the general plan and the purpose of the zone district in which the site is located.
4. The public facilities and services in the area are adequate to support the subject development, as required by engineering standards and specifications.
5. The proposed development plans will comply with the engineering standards found in Titles 7, 8, 11, 12, 16, and 18 of this code, including traffic, storm water drainage, and utilities concerns.

Second: Commissioner Green seconded the motion.

Vote on Motion: 4-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams				X	
Fowler					X
Squire					X
Nixon					X
Shirey	X				
Ogden	X				
Fidler, Alternate	X				
Green, Alternate	X				

G. Public Hearing: City-Initiated Geologic Hazards Ordinance Text Amendment (Legislative Item)

On the request of Draper City, a Text Amendment to portions of Draper City Municipal Code (DCMC) Titles 9, 10, 17, and 18 to update and move the Geologic Hazards Ordinance. Known as Application No. 2025-0259-TA. Staff Contact: Todd Taylor, 801-576-6510, todd.taylor@draperutah.gov.

City Planner, Todd Taylor, reported that the City's Geologic Hazards Ordinance was initially adopted in 2007. Third-party reviewers, Taylor Geotechnical Engineering and Simon Associates, LLC, assist the City in reviewing Geologic Hazard Studies. The purpose of the amendments was to improve

clarity for applicants, ensure adherence to best engineering practices, incorporate State standards, and correct an error.

The text amendments would apply to Titles 9, 10, 17, and 18. Staff proposed to move the ordinance from Title 9, Land Use and Development Regulations (Chapter 9-19) to Title 10, Building Regulations (Chapter 10-7). A Geotechnical Engineering Standards document would be created, and the appendices from the current ordinance would be moved to it. Mr. Taylor then reviewed the table of changes as included in the Staff Report.

Chair Adams opened the public hearing. There were no comments. The public hearing was closed.

Motion: Commissioner Shirey moved to forward a POSITIVE recommendation to the City Council for the City-Initiated Geologic Hazards Ordinance Text Amendment, as requested by Draper City, Application No. 2025-0259-TA, based on the following findings and the criteria for approval as listed in the Staff Report dated November 24, 2025.

Findings for Approval:

1. The proposed amendment is consistent with goals, objectives and policies of the City's General Plan;
2. The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to the development codes;
3. The proposed amendment will not create a conflict with any other section or part of the development codes or the General Plan;
4. The potential effects of the proposed amendment have been evaluated and are determined not to be detrimental to public health, safety, or welfare and represents an overall community benefit; and
5. The proposed text amendment implements best current, professional practices of urban planning, design, and engineering practices.

Second: Commissioner Ogden seconded the motion.

Vote on Motion: 4-to-0 in favor.

Commissioner	Yes	No	Abstained	Not Participating	Absent
Chair Adams			X		
Fowler					X
Squire					X
Nixon					X
Shirey	X				
Ogden	X				
Fidler, Alternate	X				
Green, Alternate	X				

H. Public Hearing: Peterson and Bell Properties Land Use and Zoning Map Amendment Requests.

(Legislative Items)

A request by Dave Johnson, representing the Peterson and Bell families, to amend the land use designation for a portion of 693 E. 13800 South from Residential Low Medium Density to Residential Medium Density and to amend the zoning designation from to RA1 (Residential Agricultural, 40,000 square foot minimum) to R3 (Single Family Residential, 13,000 square foot lot minimum) for a portion of 693 E. 13800 South, and from RA1 to RA2 (Residential Agricultural, 20,000 square foot minimum) for the entire property at 703 East 13800 South. The rezoning is being requested to facilitate a future boundary-line adjustment between the property owners.

The above item was continued to an uncertain date.

2. Other Business.

A. Annual Planning Commissioner Training by City Staff.

Mr. Draper conducted the annual Planning Commissioner Best Practices Training on the top 10 pitfalls to avoid.

1. Applying personal preference instead of Code

Chair Adams stated that an example of this is that he does not like hedgerows, but they were allowed at the time, so a hedgerow had to be approved. They were subsequently removed from Code. The Commission can stay grounded in the adopted ordinance by knowing what is specified in the Code and listening to the staff.

2. Ignoring the General Plan

Community Development Director Jennifer Jastremsky stated that the Planning Commission often considers applications for Zoning and Land Use Map amendments. The first item on the agenda was for a zone change, but the proposed zone already complied with the General Plan's Land Use Map.

The goal is always for zoning and land uses to match, which is why sometimes Zoning Map Amendments also require a Land Use Map amendment. The General Plan was adopted in 2019, and the Moderate-Income Housing Plan, Station Area Plans, and Water Element were subsequently incorporated into it.

In 2019, the General Plan's goals and policies, as well as the Land Use Map, were updated. At that time, they considered updating land use designations for properties that were already developed. For example, the previous map showed all of Suncrest as low-density residential. Due to all the open space, the overall density is one unit per acre, but each development is not low-density. The updated Land Use Map reflects what was actually built.

In response to a question from Chair Adams, Ms. Jastremsky confirmed that it would have been appropriate to state that the Butler Zoning Map amendment request was in alignment with the General Plan. Compliance with the General Plan is also always addressed in the Staff Report.

The General Plan is an advisory document that provides direction on what the City wants in each area. There may be opportunities to change the Land Use Map or plan goals over time. Applicants are also asked to explain how their requests comply with the General Plan.

3. Asking applicants to redesign at the meeting

Mr. Draper reported that this can lead to confusion and increase the risk of the final decision being appealed.

Assistant City Attorney Spencer DuShane stated that Staff is typically very good at determining whether a request violates City Code or would not meet the criteria for a deviation, for example, and at talking applicants out of bringing applications to the Planning Commission before they are complete. If they are unable to do so and the application comes before the Commission anyway, he preferred that the application be denied. If the applicant is told to make changes and the modified application still does not meet the code, they can appeal on the basis that they did precisely as the Planning Commission requested. If denied outright, the Staff Report and Commission comments would provide substantial evidence to uphold the decision.

Ms. Jastremsky stated that the Planning Commission can approve, approve with conditions, or deny an application. They do not have the authority to continue an item pending redesign. Most administrative applications that the Commission reviews fully comply with the City Code. Mr. Draper added that in some instances, the applicant will present something to the Commission that differs from the application and the Staff Report, and that conditions may need to be modified.

4. Inadequate findings or motion language

Findings are defensible if they meet the standard for substantial evidence; the quantity and quality of evidence could allow a reasonable person, similarly situated, to come to the same conclusion as the Planning Commission. Mr. DuShane stated that he had successfully argued that citing the findings in the Staff Report meets the substantial evidence standard.

Ms. Jastremsky stated that most of the applications denied by the Commission were for Home Occupations, often because the applicant provided different testimony at the hearing than had been provided to Staff. In that case, they should include findings referencing those concerns in the motion.

Chair Adams stated that in those cases, the applicant often indicates that they will not do the thing that would cause denial. For example, the applicant states that there will be one car parked on the property, but the Staff Report indicates no parking, and the applicant then backtracks when they realize it may be cause for denial. Ms. Jastremsky stated that the Planning Commission can add conditions.

The criteria to approve a CUP include whether there are detrimental effects and whether they can be mitigated. If proposed parking is a detrimental effect and the mitigation is to prohibit parking, approval can be conditioned on that basis. Staff then has the authority to involve Code Enforcement if parking takes place on the site. CUPs can be revoked for continued violations, and revocation automatically revokes the associated business license.

5. Allowing public hearings to go off the rails

Chair Adams stated that he sometimes has to remind the public that clapping is not allowed, but if he forgets, other Commissioners can remind the public. He also stated that it can also be awkward when people ask questions. It is beneficial to remind citizens that repeated comments are unnecessary and to bring those concerns up with the applicant after the public hearing, which can help those commenters feel heard.

Ms. Jastremsky stated that it is always a good idea to let people have their full three minutes. A previous chairperson had a habit of interrupting citizens' comments, which angered them. She recommended that, when there is a large turnout, the hearing instructions be stated at the beginning of each public hearing, rather than just once at the beginning.

Chair Adams remarked that a gentleman once stood up at a public hearing to discuss prisoners' right to vote. Mr. DuShane stated that public hearing comments must be relevant to the agenda item. That person could be interrupted and redirected to speak on the issue at hand. Ms. Jastremsky stated that they could also remind the general public that the public is invited to provide general public comments at the beginning of every City Council meeting.

It was noted that repeated comments on the same issue become irrelevant, and it is within the Commission's authority to indicate that repeated comments regarding things like traffic, for example, had been heard. All future comments should be on other issues.

Commissioner Green asked whether it would be beneficial to ask commenters to form a line at contentious hearings to save time spent standing and sitting. Mr. DuShane stated that at one particularly contentious hearing, members of the public were seated in speaking order and each given two minutes to speak. Citizens could be asked to form a line to expedite the process when multiple speakers are present.

6. Ex Parte contact and conflict disclosure

The Planning Commissioners live in the community, and neighbors can sometimes approach them outside of meetings to discuss agenda items. Those conversations need to be avoided. Ms. Jastremsky recommended that they take the position that, as members of the Planning Commission, they are not permitted to discuss the issue, but they can provide staff contact information. Emails should be forwarded to the staff.

In response to a question from Chair Adams, Ms. Jastremsky confirmed that it would be appropriate to take time in a meeting to review written comments that had just been received.

Mr. Draper reported that if the Planning Commission cannot avoid an ex parte discussion, it is essential to remain neutral to preserve due process. If that happens, Commissioners should inform staff or the city attorney. A Commissioner may need to recuse themselves if they have a business interest in any agenda item, but simply knowing someone who speaks during a public hearing does not create a conflict.

In response to a question, Ms. Jastremsky stated that she did not recommend that Commissioners speak to items at City Council meetings if the Planning Commission had heard the item. Mr. DuShane clarified that they had the right to speak as private citizens during the public comment period. However, they have the unique opportunity to get more than three minutes on the record during the Planning Commission meeting.

Mr. DuShane stated that Planning Commission decisions cannot be based on public clamor. If someone's boss spoke at a public hearing and provided valuable input on the record, it should be taken into consideration, even though that person employed a commissioner. Ethical guidelines should be followed. If their boss spoke on behalf of an applicant, the Commissioner would need to recuse themselves.

7. Failing to read the Staff Report or review the meeting packet

Staff Reports are organized with background information, General Plan and Zoning information, ordinance requirements, criteria for review and approval, suggested conditions and motions, and exhibits. The Commissioners need to review all information before the meeting.

8. Not understanding different application types and processes

- Legislative versus administrative
- Zoning and Land Use Map amendments
- Zoning Ordinance Text amendments
- Conditional Use Permits
- Site Plan Review
- Subdivisions

- Deviations

Mr. Draper encouraged the Commission to ask for clarification if they have questions on an item's type or the specific process.

9. Debating with the Public

It is essential to maintain decorum. When members of the public ask questions and expect the Planning Commission to answer them, they should be referred to staff. The Commission can also pose some questions to the applicant after the public comment period closes.

Ms. Jastremsky referred to the citizen who had questions about access, but the application was for rezoning and not the site plan. An appropriate response at that stage would be to refer them to the staff to discuss the standards.

10. Talking outside the hearing

Emails, texts, and side conversations about items that have not been heard by the Commission or presented to the City Council should be avoided as they risk undermining the process.

2. Other Business.

Ms. Jastremsky reported that the next Planning Commission meeting was scheduled for December 18, 2025.

3. Adjournment.

Motion: Commissioner Shirey moved to ADJOURN.

The meeting adjourned at 8:19 PM.