

Planning Commission Meeting

Meeting Minutes

August 5, 2026, 7:00 PM

20 North Main Street, Levan, UT 84639, US

1. Opening Business

The meeting was called to order by Chairman Nate Washer at 7:00 PM

Present: Chairman Nate Washer, Commissioner Carol Bennett, Commissioner Dan Green, Chelsi Oliver, Clerk, Christine Carrigan, Recorder

Prayer: The invocation was offered by Commissioner Green

The Pledge of Allegiance: Commissioner Carol Bennett led the Pledge of Allegiance

2. Action/Discussion Items

a. Discussion

Annexation Policy Update

The commission reviewed a draft annexation policy prepared by town counsel, sourced from the Six County Association of Governments. Staff explained that the purpose of the document is to bring the town's existing ordinance into alignment with current state law, noting that the legislature has amended annexation statutes approximately three times in the past four years. The previous policy references code sections that no longer exist. The draft clarifies the respective roles of the town, the county, and the applicant in the annexation process. Commissioners were asked to review the draft and report any concerns. Staff noted that any adoption would require a properly noticed public hearing, which could be held approximately fifteen minutes prior to a regular planning commission meeting, after which the item would proceed to the town council.

Short-Term Rental Ordinance

The commission reviewed a draft short-term rental ordinance. Staff noted that the town's municipal code does not currently contain explicit provisions governing short-term rentals, though a provision appearing to prohibit rentals of fewer than 30 consecutive days may exist somewhere in the ordinance book and could not be immediately located. The draft ordinance, if adopted, would supersede any such existing language and formally permit short-term rentals subject to conditions including a business license requirement and a building inspection.

Commissioners engaged in a substantive discussion about the broader implications of short-term rentals, noting how such uses have driven speculative residential development in other small Utah communities. The commission acknowledged that short-term rentals are already occurring informally within the town. One concern raised was that Section 5 of the draft, requiring that address numbers be "clearly visible," did not specify visibility from the road, which commissioners agreed was the obvious intent for emergency response purposes. Staff agreed to note that correction. Commissioners were asked to review the draft and return with any concerns ahead of a future public hearing.

Movable Carport Setbacks Discussion

The commission held an extended discussion regarding the regulation of movable carports and similar portable structures. Staff indicated that the town continues to receive inquiries on the subject and that current code provides no specific setback standard for movable carports, leaving staff to advise residents informally not to place structures directly on the property line where snow or ice could fall onto a neighboring property.

The discussion broadened to include the question of whether to allow carports to encroach into front yard setback areas and, if so, how to define what qualifies as a "movable" structure. Commissioners expressed

concern that without a clear definition, structures anchored to concrete pads and framed in steel could be characterized as movable to circumvent setback requirements.

A consensus emerged that if the commission is going to permit carport-style structures within the front setback area, it would be preferable to allow both movable and permanent open-sided carport structures on equal terms, rather than creating an incentive to use lower-quality portable structures to circumvent requirements that would apply to a permanent structure. Commissioners noted that a permanent attached carport would likely be more aesthetically beneficial to the community and would add more property value than a temporary tube-steel canopy. The commission agreed that any such structure permitted within the setback area should remain open-sided, should not obstruct clear view areas, and should be used exclusively for parking or similar purposes rather than storage.

For portable accessory structures in rear and side yards, commissioners discussed whether the current five-foot setback requirement is appropriate, with some sentiment expressed that requiring a gap between a portable shed and the property line creates an unused space that tends to accumulate weeds without providing a meaningful benefit to neighboring properties. The commission discussed that a more practical standard might focus on preventing water, snow, or ice from shedding onto adjacent properties.

Staff were directed to develop draft language for commission review. Commissioners also agreed that when a public hearing is scheduled for the carport setback issue, the agenda should also include flag lot standards, as the current code approves flag lots on a discretionary basis without codified conditions, which commissioners agreed creates inconsistency and the potential for unequal treatment.

b. Approval of Past Minutes

Staff noted two corrections to the June 3, 2026, meeting minutes: a reference to "Chelsea Carle" should read "Chelsi Oliver," and the title prefix used for commissioners was inconsistent between sections of the document.

A motion to approve the minutes of the June 3, 2026, Regular Planning Commission Meeting, as corrected, was made by Commissioner Green and seconded by Commissioner Bennett. The motion carried unanimously.

c. Permit Applications

No permit applications were presented.

3. Reports

a. Office Issued Permits

Staff reported that the following permits were issued by the office since the last meeting:

- Enclosed Deck — T. Brooks
- Fence — Silo Lane Farms
- Fence — B. Hansen
- Remodel — M. Kramer

4. Adjourn

A motion to adjourn was made by Commissioner Bennett and seconded by Commissioner Green. The motion carried unanimously. Meeting was adjourned at 7:57 PM