

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

Nov 19, 2015

1. Roll Call:

Chairman Jim Hart, Commissioners Bonnie Farmer, Garrett Greenhalgh, Rachel Thompson, Natalie Smith (Alt) and Larry Lewis (Alt).

Others Present:

Development Coordinator Harry Meadows, Mayor Michael Johnson, Zan Murray, Gary Larson, and Roger Roundy. Secretary Adria Davis recorded the minutes.

2. Opening Remarks/Pledge of Allegiance

Chairman Hart opened the meeting at 8:05 p.m.
He led those present in the Pledge of Allegiance.

3. Review and Approval of agenda

The agenda for the Planning Commission meeting of Nov 19, 2015 was reviewed. A motion was made by Commissioner Thompson to approve the agenda as presented. Commissioner Farmer seconded. Commissioners Farmer, Hart, Greenhalgh, Thompson, Smith (Alt) and Lewis (Alt.) voted yes, with Commissioner Dickey excused.

4. Review and Approval of the Minutes of the Planning Commission Meeting

The minutes for the meeting of Oct 29, 2015 were reviewed. A motion was made by Commissioner Lewis (Alt) to approve the minutes as outlined. Commissioner Greenhalgh seconded. Commissioners Farmer, Hart, Greenhalgh, Thompson, Smith (Alt) and Lewis (Alt.) voted yes, with Commissioner Dickey excused.

5. Action Items

There were no action items.

6.A. Conceptual Plan – proposed subdivision of parcel 02-129-0014 by Roger Roundy.

Mr. Roundy reviewed his proposal with the commissioners outlining the steps he had already taken including his most recent request to the City Council which was referred back to the planning commission for review, asking for a more engineered design.

Mr. Roundy presented a drawing showing the continuation of the road at 300 East progressing north through his property with a building on either side. The parcel was shown divided into 2 lots, with a 3rd lot (not shown) which would house his future residence. Also included in the drawing were three 6 ft. retaining walls as this property is on a steep slope.

The actual purchase of the property by Mr. Roundy is currently in the works.

This facility, consisting of two buildings, will have 16 beds and 8 parking stalls per building with 2 employees (1 per building) and 1 director onsite. This is not a new design as these models have previously been built in other communities.

Mr. Roundy has been working with Bear River Health Dept. to find an adequate septic system layout with sufficient drainage fields. Two suitable septic systems have been designed (one per building), however a drawing will still need to be provided showing the placement of each in relation to the proposed facilities.

Mr. Roundy is very willing to work with the city to maintain compliance with all the ordinances and considers this a service to the community.

Mayor Johnson expressed concern that all requirements be discussed up front, in order to save Mr. Roundy the time and expense of working through the whole process with the Planning Commission (subdividing of the land), only to be denied by the City Council (conditional use permit). The Mayor felt confident that both groups could work together and proceed at the same time as both are intertwined. He even extended an invitation to the city council to participate in the planning commission meetings and be a part of the process as it progresses.

Chairman Jim Hart addressed some of the concerns that related to the property side of the issue. The 2 lot proposal would need to be split into 3 lots with each building on its own lot. The city ordinances only allow for one building and one septic tank per lot. There is a street running between the two buildings so there needs to be allowances made for the dedication of the road with sufficient setbacks and curb, gutter, and sidewalks included.

One condition that was proposed as part of the conditional use permit (in order to maintain future compliance with our ordinances) was the requirement that both buildings must stay together as one facility with the same owner of all buildings.

If the buildings were sold off separately the conditional use permit could be revoked.

The City Engineer, Zan Murray reviewed the following items:

- Curb, Gutter, and Sidewalks would be required along 450 North and 300 East with the proposed new road matching up to the existing 300 East.
- The water line would need to be extended from where it currently cuts off at the property line to connect with the proposed buildings, plus run an 8" water main to the end of the new street.
- A fire hydrant would need to be within 250 feet of the residence.
- Install water meters with each property (including one in the southwest corner of the residential property).
- Each item in Ordinance 6.16.010 PREAPPLICATION: Conceptual Plan, paragraph E (#1-10) must be met by the subdivider. (attachment included)
- Ordinance 17.52 describes all the guidelines that must be followed. (attachment included)
- The existing layout of the buildings does not meet the setback requirement for corner lots and would need to be redrawn with 20 ft. rear and 30 ft. front setbacks.
- Any structure with footings cannot be within that 30 ft. setback (i.e. awnings).
- There were some concerns if the parking would be adequate. Further consideration would be needed and state requirements reviewed.
- The Commission may set other reasonable requirements if necessary.

Items still missing:

- A topography map must be presented showing the elevations at the street, buildings, retaining walls, and the slope and grading of the lots.
- An acceptable storm water drainage system must be presented.

The process to follow would be first to meet all the ordinances through engineering review and planning commission review. Then he can proceed through the subdivision and building permit processes. If all the provisions are met then the conditional use permit cannot be denied.

City council reports

The commissioners received copies of the minutes from the Nov 12, 2015 City Council meeting. Commissioner Thompson presented a concern regarding the crossing light on the north end of the school. The south end of town is growing and the number of kids approaching the school from the south is increasing. Discussion was held with the Mayor about what could be done to improve the safety of those south end kids.

6.B. Agenda Items for Next Meeting

Final drawings for the second phase of the Mond Aire subdivision.

Requests for building permits are starting to come in from phase one, however no building permits will be granted until the final acceptance of all the improvements is complete.

7. Calendaring of future Planning and Zoning Meeting

The next meeting will be held Thursday, Dec 3, 2015.

8. Assignment of Representative for City Council Meeting

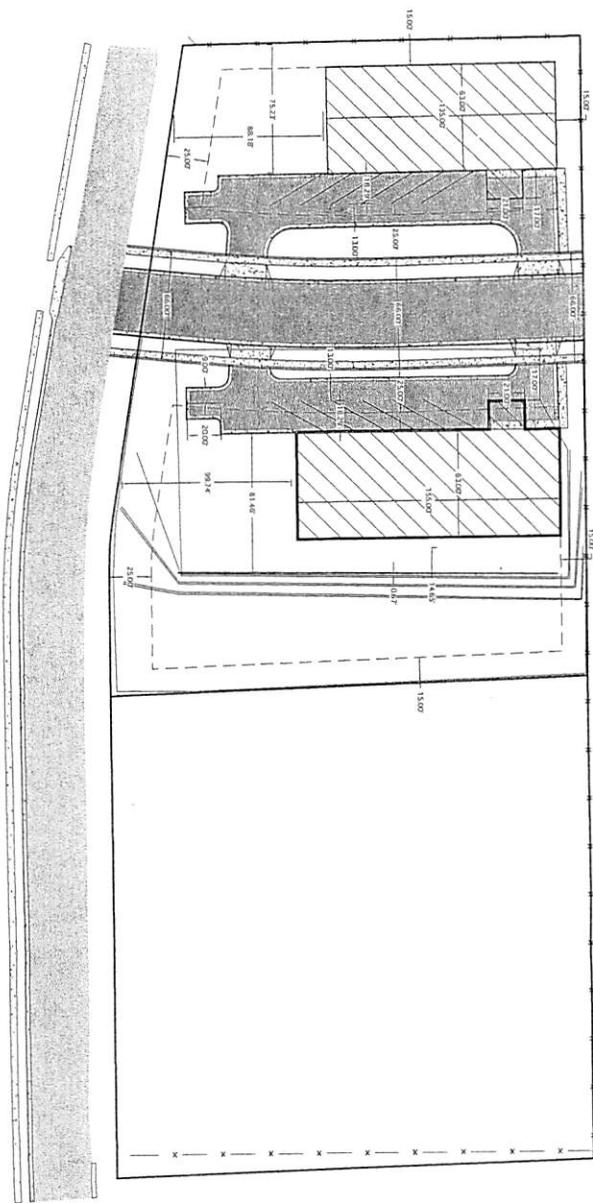
The next City Council meeting has been cancelled due to the Thanksgiving Holiday.

9. Adjournment

Chairman Hart moved to adjourn the meeting at 9:50 p.m. Commissioner Lewis (Alt) seconded.

ROGER ROUNDY SUBDIVISION CONCEPT PLAN

SCALE: 1" = 30'



LOGAN IN SUSTAINABLE ENGINEERING AND PLANNING



NOTES:

- 1. OWNER AND ARCHITECT: [unreadable]
- 2. [unreadable]
- 3. [unreadable]
- 4. [unreadable]
- 5. [unreadable]
- 6. [unreadable]
- 7. [unreadable]
- 8. [unreadable]
- 9. [unreadable]
- 10. [unreadable]
- 11. [unreadable]
- 12. [unreadable]
- 13. [unreadable]
- 14. [unreadable]
- 15. [unreadable]
- 16. [unreadable]
- 17. [unreadable]
- 18. [unreadable]
- 19. [unreadable]
- 20. [unreadable]

KEY NOTES

1. [unreadable]
2. [unreadable]
3. [unreadable]
4. [unreadable]
5. [unreadable]

THIS PLAN HAS BEEN PREPARED BY THE ARCHITECT OR ENGINEER REGISTERED IN THE STATE OF UTAH. THE ARCHITECT OR ENGINEER HAS CONDUCTED A VISUAL CHECK OF THE PLAN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH LAND SURVEYING ACT. THE ARCHITECT OR ENGINEER HAS NOT CONDUCTED A SURVEY OF THE LAND AND HAS NOT BEEN AWARE OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS AFFECTING THE LAND. THE ARCHITECT OR ENGINEER HAS NOT BEEN ADVISED OF ANY SUCH INTERESTS AND HAS NOT BEEN ADVISED OF ANY SUCH INTERESTS. THE ARCHITECT OR ENGINEER HAS NOT BEEN ADVISED OF ANY SUCH INTERESTS AND HAS NOT BEEN ADVISED OF ANY SUCH INTERESTS.

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**ROGER ROUNDY SUBDIVISION
CONCEPT PLAN**
450 NORTH 300 EAST
LOGAN, UT 84321

civilsolutionsgroup inc.
PROVIDENCE | P: 435.213.3762
SALT LAKE CITY | P: 801.216.3192
info@civilsolutionsgroup.net
www.civilsolutionsgroup.net

PRELIMINARY
PLAT
C-101

MARK	DATE	DESCRIPTION
1	09/11/13	PROJECT #
2	09/11/13	REVISION
3	09/11/13	PROJECT MANAGER
4	09/11/13	DESIGNER
5	09/11/13	CHECKER

ESTABLISHED 1860

MILLVILLE

Post Office Box 308

Millville, Utah 84326

October 19th 2015

Mr. Roger Roundy

I have scheduled the conceptual plan meeting with the following parties regarding your desire to develop parcel 02-129-0014.

This meeting will be held at the regularly schedule Planning and Zoning Meeting in the Millville City offices located at 510 East 300 South at 8 PM Thursday the 5th of November 2015.

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Additional attendees will be Mayor Mike Johnson, City Engineer Zan Murry, and City Superintendent Gary Larson.

6.16.010: PREAPPLICATION: Conceptual Plan

A. This section shall apply to subdivisions, both large and small.

B. The purpose of this pre-application procedure is to determine any problems with the proposed development before expenses are incurred in the preparation of a preliminary plat. No official action is required of the city planner, planning and zoning commission, or other agencies other than to offer appropriate comments on the proposal and indicate suitability for proceeding through the platting process.

C.

1. Procedures and requirement for filing the preliminary and final plats; 16.16.020 Preliminary Plat, 16.20.010 Final Plat, and 16.20.020 Final Plat Submittal.

2. Availability of public water, sewer and other requirements when public systems are not readily available pursuant to subsection 16.04.070 M of this title;

3. Zoning requirements on the property;

4. Requirements of the duly adopted roadway corridor study, land use, schools, parks and other public open space;

5. The location and extent of any floodplains as shown by FEMA maps in the office of the city engineer;

6. Soil types and problems on the property as shown on available soil survey maps prepared by the soil conservation service;

7. The location of well protection and drinking water source protection zones;
8. The location of all property in the development that may fall under the hillside development overlay;
9. Proximity to any established agriculture protection area;
10. Storm water runoff requirements.

D. As a part of this contact, the sub divider may discuss with the city planner or any other appropriate agency its tentative proposals for the development of the property. All fees must be paid prior to consideration.

E. The sub divider shall present at least twelve (12) copies of a conceptual plan, or sketch plan, to the commission for an informal review and discussion of the site plan and the general scope and conditions of the proposed subdivision. The plan shall include the following:

1. The property boundaries of the proposed subdivision as shown with a date certified plat from the county office within the last thirty (30) days;
2. Names of adjacent property owners;
3. Approximate number of lots proposed and the street layout numbering of lots on the plat is adequate;
4. Approximate total acreage of the development as well as lot size range;
5. Description of the type of water (culinary or irrigation) system proposed along with the water rights pursuant to subsection 16.04.070M of this title;
6. Description of the type of sewer or sanitary waste system proposed;
7. Present zoning;
8. Written description of the storm water drainage system proposed;
9. A written statement describing the intent of the development;
10. Lots within the hillside development overlay zone.

F. In the review and discussion of the proposal, the commission shall consider its concept and compare it with the comprehensive master plan, zoning ordinance, subdivision ordinance and other regulations in the local jurisdiction to determine compliance. A record of the discussion, including the decisions agreed upon, shall be kept in the minutes of the meeting and shall constitute the official record of the meeting. A copy of the minutes shall be furnished to the sub divider within fourteen (14) days of the minutes being approved. The sub divider may then

proceed with the preparation of the preliminary plat. In the event the preliminary plat has not been submitted to the commission for approval within six (6) months from the date of the meeting, a new conceptual plan shall be presented for consideration by the commission before a preliminary plat can be submitted.

G. The commission may, at its option, hold a public hearing as part of the review process of the conceptual plan. (Ord. 2008-4, 2008: Ord. 2003-4 §§ 1, 2, 2003: Ord. 2002-2 § 2, 2002: Ord. 2000-17 §§ 2, 3: Ord. 94-3 § 1)

A handwritten signature in black ink, appearing to read "Harry Meadows", written over a horizontal line.

Harry Meadows
Millville City Development Coordinator
(435) 881-2977

Chapter 17.36 OFF STREET PARKING

17.36.010: OFF STREET PARKING REQUIRED:

There shall be provided at the time of erection of any building or at the time any main building is enlarged or increased in capacity, minimum off street parking space with adequate provision for ingress and egress by standard size automobiles as hereinafter provided. (Ord. 99-02-18-01 § 2)

17.36.020: PARKING SPACE FOR DWELLING:

In all residential zones there shall be provided on the property parking for a minimum of two (2) cars per dwelling unit. (Ord. 99-02-18-01 § 2)

17.36.030: PARKING SPACE FOR NONDWELLING USE:

For a new building or for any enlargement or increase in seating capacity, floor area, or guestrooms of any existing main building, there shall be at least one permanently maintained parking space of not less than one hundred eighty (180) square feet net area.

- A. For church, school, auditoriums and theaters, general auditoriums, and other similar places of assembly, at least one parking space for every five (5) fixed seats provided in the buildings or structures, and/or at least stalls for every five (5) persons allowed under capacity restrictions set by the fire marshal.
- B. For medical and dental clinics, at least ten (10) parking spaces, provided that three (3) additional parking spaces shall be provided for each doctor or dentist having offices in such clinic in excess of three (3) doctors or dentists.
- C. For a motel, hotel, or bed and breakfast at least one parking space for each individual sleeping or living unit.

- D. For restaurants or establishments that serve meals, lunches, or drinks to patrons either in their cars or in the building, for retail stores selling directly to the public, and recreational places of assembly, at least one space for each one hundred (100) square feet of floor space in the building, and one space for each employee working on the highest employment shift, or five (5) parking spaces, whichever requirement is the greater.
- E. For all businesses or industrial uses not listed in this section not providing customer services on the premises, one parking space for each employee working on the highest employment shift. (Ord. 99-02-18-01 § 2)

17.36.040: PARKING LOT REGULATIONS:

Every parcel of land hereafter used as parking lot (see definition) shall be paved with surfacing material of asphalt or concrete composition and shall have appropriate bumper guards where needed as determined by the city engineer. Any lights used to illuminate the lot shall be so arranged as to reflect light away from adjoining premises in any residential zone. (Ord. 2000-16 § 1: Ord. 99-02-18-01 § 2)

17.36.050: PARKING FOR DISABLED PERSONS:

All requirements of the Americans with disabilities act (ADA) shall be met. (Ord. 99-06-03-01 § 1: Ord. 99-02-18-01 § 2)

Chapter 17.52

RESIDENTIAL FACILITIES FOR ELDERLY OR HANDICAPPED

17.52.010: RESIDENTIAL FACILITIES FOR ELDERLY PERSONS; PERMITTED USE:

A residential facility for elderly persons shall be a permitted use in any area where residential uses are allowed following approval by the planning commission. Approval shall not be denied where the proposed residential facility for elderly persons is found to be in compliance with all the applicable provisions of this section. Residential facilities for elderly persons shall be allowed in any city zoning district, except that district which is zoned to permit exclusively single-family dwelling and duplex use, subject to the granting of a conditional use permit. A conditional use permit shall not be denied where the facility is found, by the planning commission, to meet all conditions set forth in this section. (Ord. 2000-9 § 2)

17.52.020: CODE COMPLIANCE:

The facility shall meet all municipal building, safety, zoning and health ordinances applicable to similar dwellings. The facility shall be capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character. (Ord. 2000-9 § 2)

17.52.030: PARKING:

Off street parking shall be provided as required in chapter 17.36 of this title. (Ord. 2000-9 § 2)

17.52.040: SEPARATION STANDARDS:

Residential facilities for elderly persons shall not be established within three-quarters (0.75) of a mile of another residential facility for elderly persons, as defined in this title. (Ord. 2000-9 § 2)

17.52.050: CLIENT RESTRICTED:

Persons being treated for alcoholism or drug abuse shall not be placed in a residential facility for elderly persons; placement in a residential facility for disabled persons shall be on a strictly voluntary basis and shall not be a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility. (Ord. 2000-9 § 2)

17.52.060: COMPLIANCE:

The use granted and permitted by this section is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for elderly persons, or if the structure fails to comply with the ordinances adopted under this subsection. (Ord. 2000-9 § 2)

17.52.070: DISCRIMINATION PROHIBITED:

Discrimination against elderly persons and against residential facilities for elderly persons is prohibited. All decisions regarding an application for a residential facility for elderly persons must be based on legitimate land use criteria and may not be based on the age of the facility's residents. (Ord. 2000-9 § 2)

17.52.080: MAINTENANCE:

In any area zoned to permit exclusively residential uses, the planning commission may impose a condition that the landscaping around the facility must be maintained or installed such that it enhances the residential character of the neighborhood, as a condition of the conditional use approval. (Ord. 2000-9 § 2)

17.52.090: AGENCY REVIEW:

The facility shall be reviewed by the following agencies, prior to the issuance of the conditional use permit or final approval by the planning commission:

A. City planning commission;

B. City building inspector;

C. City fire department, or designee;

D. City public works department;

E. Any improvement district where applicable, as determined by the city council. (Ord. 2000-9 § 2)

17.52.100: RESIDENTIAL FACILITIES FOR DISABLED PERSONS; PERMITTED USE:

A residential facility for disabled persons, as defined in this title, shall be a permitted use in any area where residential facilities are allowed following approval by the planning commission. Residential facilities for disabled persons in areas where residential dwellings are allowed is a temporary privilege which can be revoked if the requirements of this section are not met. (Ord. 2000-9 § 2)

17.52.110: CONDITIONAL USE REVIEW:

Residential facilities for disabled persons allowed in any municipal zoning district which is zoned to permit exclusively single-family dwelling use, subject to the granting of a conditional use permit. A conditional use permit shall not be denied where the facility is found, by the planning commission, to meet all conditions set forth in this section. (Ord. 2000-9 § 2)

17.52.120: STANDARDS:

A residential facility for disabled persons in a zone permitting exclusively single-family dwelling use and any other area of the city where residential dwellings are allowed, shall be subject to the following conditions before being granted a conditional use permit:

- A. No residential facility for disabled persons may be established or maintained such that it hinders the residential character of the neighborhood, as determined by the planning commission. In no case shall such a facility be located within three-quarters (0.75) mile of another existing residential facility for disabled persons.
- B. The proposed use shall only be allowed if the home can meet all these conditions without structural alteration that would change the structure's residential character.
- C. Discrimination against disabled persons and against residential facilities for disabled persons is prohibited. All decisions regarding an application for a residential facility for disabled persons must be based on legitimate land use criteria, and may not be based on the disabled conditions of the facility's residents.
- D. The landscaping around the facility must be maintained or installed such that it enhances the residential character of the neighborhood.
- E. If the facility houses six (6) to eight (8) persons, it shall meet the uniform building code requirements of the latest edition adopted by the city for an institutional "I" occupancy. In all other respects, it should meet the uniform building code, as adopted by the city.
- F. If the facility houses six (6) to eight (8) persons, it shall meet the uniform fire code requirements of the latest edition adopted by the city for an institutional "I" occupancy. In all other respects, it shall meet the uniform fire code.
- G. The facility shall receive approval from the following agencies, prior to the issuance of the conditional use permit or final approval by the planning commission:
1. City planning commission;
 2. City building inspector;
 3. City fire department, or designee;
 4. City public works department;
 5. Cache County health department;
 6. Any improvement district where applicable, as determined by the city council.

- H. The facility must meet the requirements of the life safety code as adopted by the city. If any one occupant is nonambulatory, and there are four (4) or more occupants, then it shall meet the requirements under the life safety code for a residential-custodial care facility. If all the occupants are ambulatory, then the facility shall meet the requirements of the life safety code for lodging houses.
- I. No person who is being treated for alcoholism or drug abuse or who is violent shall be placed in a residential facility for disabled persons.
- J. Placement in a residential facility for disabled persons shall be on a strictly voluntary basis and shall not be a part of, or in lieu of, confinement, rehabilitation or treatment in a correctional institution.
- K. The use granted and permitted by this section is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for disabled persons, or if the structure fails to comply with all applicable health, safety and building codes.
- L. In any municipal zoning district which is zoned to permit exclusively single-family dwelling uses, the planning commission may set other reasonable conditions for any individual applicant which it feels will further the intent of part 5, title 10, chapter 9, Utah Code Annotated, 1953, as amended, and this section.
- M. This chapter adopts the provisions outlined in Utah Code Annotated section 10-9-601 et seq., as amended. (Ord. 2000-9 § 2)