

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
September 22, 2015 – 5:00 PM**

PRESENT: Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Todd Staheli
Commissioner Don Buehner
Commissioner Julie Hullinger
Council Member Joe Bowcutt

CITY STAFF: Assistant Public Works Director Wes Jenkins
Planning & Zoning Manager John Willis
Planner II Ray Snyder
City Surveyor Todd Jacobsen
Assistant City Attorney Victoria Hales
Building & Development Office Supervisor Genna Singh

EXCUSED: Commissioner Nathan Fisher
Commissioner Diane Adams

FLAG SALUTE

Chair Ross Taylor called the meeting to order and asked Commissioner Hullinger to lead the flag salute at 5:00 PM.

1. **FINAL PLATS (FP)** *(To be heard at the September 24, 2015 City Council meeting)*
 - A. Consider approval of a ten (10) lot residential subdivision Final Plat for “**Cornerstone Phase 3.**” The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at approximately 3150 West and 2805 South Street. The representative is Mr. Roger Bundy, R & B Surveying. Case No. 2015-FP-015. (Staff – Wes Jenkins)

Wes Jenkins presented the item. Address should be 3150 East and not West as posted in the agenda, and this will be corrected on the notice for the City Council meeting.

MOTION: Commissioner Don Buehner made a motion to recommend approval for item 1A, Cornerstone Phase 3 based on staff recommendation with the correction to the address as 3150 East 2805 South and authorize chair to sign.

SECOND: Commissioner Julie Hullinger

AYES (4)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger
NAYS(0)
Motion carries.

- B. Consider approval of a ten (10) lot residential subdivision Final Plat for “**Cornerstone Phase 4.**” The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size)-and is located at approximately 3150 West and 2840 South Street (south of Phase 3). The representative is Mr. Mr. Roger Bundy, R & B Surveying. Case No. 2015-FP-016. (Staff – Wes Jenkins)

Wes Jenkins presented the item. Address should be 3150 East and not West as posted in the agenda, and this will be corrected on the notice for the City Council meeting.

MOTION: Commissioner Ro Wilkinson made a motion to accept Item 1B, Cornerstone Phase 4 with the address correction of 3150 East 2840 South and authorize chair to sign.
SECOND: Commissioner Don Buehner
AYES (4)
Commissioner Ro Wilkinson
Commissioner Don Buehner
Chair Ross Taylor
Commissioner Julie Hullinger
NAYS(0)
Motion carries.

- C. Consider approval of an eight (8) lot residential subdivision Final Plat for “**Sycamore Phase 7.**” The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at approximately 2640 E 2900 S. The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-020. (Staff – Wes Jenkins)

Wes Jenkins presented the item. There will be double fronting lots that will require the privacy wall and landscape strip to be installed by the developer and then the developer will pay a 10 year maintenance fee and the City will maintain it. That will happen for each of their plats.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 1C, Sycamore Phase 7, with the conditions outlined by staff, and authorize chair to sign.
SECOND: Commissioner Ro Wilkinson
AYES (4)
Commissioner Ro Wilkinson
Commissioner Don Buehner
Chair Ross Taylor
Commissioner Julie Hullinger
NAYS(0)
Motion carries.

- D. Consider approval of a ten (10) lot residential subdivision Final Plat for “**Sycamore Phase 8.**” The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at approximately 2700 E 2900 S. The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-021. (Staff – Wes Jenkins)

Wes Jenkins presented the item with the same comments as Phase 7.

MOTION: Commissioner Don Buehner made a motion to recommend approval of final plat Item 1D, Sycamore Phase 8 based on staff recommendation and authorize chair to sign.

SECOND: Commissioner Julie Hullinger

AYES (4)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

NAYS(0)

Motion carries.

- E. Consider approval of a twenty-one (21) lot residential subdivision Final Plat for “**Tupelo Phase 2**” The property is zoned R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) and is located at approximately 3130 east and Delany Drive 3 (in the Little Valley area). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-045. (Staff – Wes Jenkins)

Wes Jenkins presented the item. This is east of 3000 East and north of Crimson Ridge Drive. Chair Ross Taylor asked how much more growth is available in that part of the City. Wes Jenkins said there’s still a ways to go eastward.

MOTION: Commissioner Ro Wilkinson made a motion to accept Item 1E, for Tupelo Estates Phase 2 per staff recommendation and authorize chair to sign.

SECOND: Commissioner Don Buehner

Councilman Joe Bowcutt noted that there is lot size averaging associated with the plat.

AYES (4)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

NAYS(0)

Motion carries.

- F. Consider approval of a five (5) lot residential subdivision Final Plat for “**Tupelo Phase 3.**” The property is zoned R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) and is located at Amaranth Drive and the south side of 3230 South

Street (in the Little Valley area). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-022. (Staff – Wes Jenkins)

Wes Jenkins presented the item. There will be common area associated with this plat to accommodate a pool and club house ($\pm 14,000$ s.f. on the western side of Amaranth Drive). That will be owned and maintained by the HOA.

Chair Ross Taylor asked if a City park is planned in the area.

Wes Jenkins said there's discussion at the southeast corner of 3000 East and Crimson so we're working with the developer to make that detention basin a park. It may not be a park with amenities but more of a grassy area with some playground equipment but not much.

Commissioner Ro Wilkinson asked if there will be parking for the pool amenity.

Wes Jenkins said no, parking would be on the street. The hope is for residents to walk there.

Councilman Joe Bowcutt asked if the development of the common area development has to be approved.

Commissioner Todd Staheli arrived at 5:17 pm

Wes Jenkins explained you approve it right now. The street width does accommodate parking. They will have to annex Phase 1 into the HOA.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 1F and authorize chair to sign.

SECOND: Commissioner Ro Wilkinson

Assistant City Attorney Victoria Hales questioned if all Tupelo phases are being annexed into an HOA.

Wes Jenkins explained they will bring Phase 1 into it but the other plats will be annexed in as they record. Brad (representative) has indicated that the HOA has already been created.

Assistant City Attorney Victoria Hales asked for the amenity parking to be explained.

Wes Jenkins explained that you can't have parking stalls that back onto a public street. You can do that on a private street but not public. There is no parking requirement for a private pool.

Motion was not voted on.

MOTION: Don Buehner made a motion to recommend approval to City Council of Item 1F, Tupelo Estates Phase 3 based on staff recommendation and authorize chair to sign.

SECOND: Commissioner Julie Hullinger

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

G. Consider approval of a four (4) lot residential subdivision Final Plat for “**Tupelo Phase 4.**” The property is zoned R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size) and is located at approximately 3175 East and 3230 South Street (in the Little Valley area). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-043. (Staff – Wes Jenkins)

Wes Jenkins presented the item with no comments.

MOTION: Commissioner Ro Wilkinson made a motion to accept Item 1G, Tupelo Estates Phase 4 based on the recommendation of staff and authorize chair to sign.

SECONDED: Commissioner Todd Staheli

Councilman Joe Bowcutt stated the name needs to be clarified as either Tupelo Phase 4 or Tupelo Estates Phase 4.

Wes Jenkins said the correct name for each phase is Tupelo Estates.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

2. **FINAL PLAT AMENDMENT (FPA) (To be heard at the September 24, 2015 City Council meeting)**

Consider approval of an amended commercial condominium subdivision final plat for “**Boulevard Centre Pad “C” Condominiums 2nd Amendment.**” The property is zoned C-4 and is located at 162 North 400 east Building C. The representative is Mr. Bob Hermandson, Bush and Gudge. Case No. 2015-FPA-018. (Staff - Wes Jenkins)

Wes Jenkins explained the purpose is to split Unit 202 on the second floor into two units (202-A and 202-B) and split unit 302 on the third floor into two units (302-A and 302-B) and to open up the hallway to meet fire code on each floor. The main floor has 2 units which is how the second and third floor was as well. The second and third floor would now have 3 units each. The division is on half of the floor making 3 units on both the second and third floor.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 2 and authorize chair to sign.

SECONDED: Commissioner Don Buehner

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner
Chair Ross Taylor
Commissioner Julie Hullinger
Commissioner Todd Staheli
NAYS (0)
Motion carries.

3. **LOT LINE ADJUSTMENT (LLA)** (To be heard at the September 24, 2015 City Council meeting)

- A. Consider approval of a lot line adjustment for property located at **496 West Diagonal Street** (northeast of the intersection of 500 West Street and Diagonal Street). The property is zone R-1-8 (Single Family Residential 8,000 sq. ft. minimum lot size). The representative is Mr. Reid Pope, Pope Engineering. Case No. 2015-LRE-023 (Staff - Wes Jenkins)

Wes Jenkins presented the item. There are currently three larger lots located in this area. They want to decrease the size of the lot with the house and merge the other lots together to make one big lot for a possible future development making two lots total. They will give city standard easements along the new lot lines, but requested approval is just for the lot merger and lot line adjustment.

Commissioner Don Buehner asked what the advantage is of merging the lots at this point. Wes Jenkins explained it is at the owner's request for development in the future.

MOTION: Commissioner Don Buehner made a motion to recommend approval of Item 3A, lot line adjustment for ENF Investments based on staff recommendation.

SECOND: Commissioner Ro Wilkinson

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- B. Consider approval of an easement vacation / lot line adjustment within a final plat subdivision; "**Lot 122 and 123 of the Estates at Valderra.**" The property is located at 4621 North Painted Sky Drive (within the Ledges Development). The property is zoned PD-R (Planned development Residential). The representative is Mr. Brandon Anderson, Rosenberg Associates. Case No. 2015-LRE-025 (Staff – Wes Jenkins)

Note: This will be heard by City Council as a public hearing and ordinance

Wes Jenkins presented this item. The purpose of this item is to vacate a utility easement between lots 122 and 123 and adjust the lot line south to make lot 122 bigger to accommodate a swimming pool. Both lots are owned by the same person. They are vacating the easements and shifting the lot line. The new easements will follow the new lot line. The revised graphic is in front of you.

MOTION: Commissioner Todd Staheli made a motion to approve Item 3B as shown on the revised graphic.

SECOND: Commissioner Don Buehner

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- C. Consider approval of a lot line adjustment within a final plat subdivision; “**Lot 8, 11, and 12 of Quail Valley Estates.**” The property is located at 1558 East 1800 South (Lot 8) and 1529 East 1850 South Street (Lot 12), and 1545 East 1850 South Street (Lot 11). The property is zone R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size). Case No. 2015-LRE-024 (Staff – Wes Jenkins)

Note: This will be heard by City Council as an ordinance

Wes Jenkins presented the item. The adjustment will match the lot lines to how the fences were constructed. Lots 11 and 12 will deed land to lot 8 to make lot 8 larger and to follow the fences as built. We didn’t vacate the easement because the change didn’t affect them in this narrow scope.

MOTION: Commissioner Julie made motion to approve Item 3C.

SECOND: Commissioner Ro Wilkinson

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- D. Consider approval of a lot split located at “**Lot 168 in the Fort Pierce Industrial Park**” located at 1170 East Venture Drive. The property is zoned M-1

(Manufacturing). The representative is Mr. Ried Pope, L.R. Pope Engineering. Case No. 2015-LRE-026 (Staff – Wes Jenkins)

Wes Jenkins presented the item. A small building was built in the northwesterly corner of the 12 acre parcel that only needed about 2 acres leaving 10 acres for future development. The building will have to meet setbacks, and the applicant must have HOA approval.

MOTION: Commissioner Ro Wilkinson made a motion based on staff recommendation to accept Item 3D, lot split for Ft. Pierce.

SECOND: Commissioner Todd Staheli

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

4. **FINAL PLATS (FP)** *(To be heard at the October 1, 2015 City Council meeting)*

- A. Consider approval of a thirty two (32) lot residential subdivision Final Plat for “**Bridle Gate Estates Phase 3.**” The property is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) and is located 3030 East Street and approximately 2550 South (within the Little Valley area). The representative is Mr. Robbin Mullen, Region Engineering and Surveying. Case No. 2015-FP-046. (Staff – Wes Jenkins)

Wes Jenkins presented the item. There will be double fronting lots. There is already an equestrian trail here. The trail is owned by the Bridle Gate HOA. All the landscaping and trail along 3000 East is owned and maintained by the HOA. There is a 25’ sewer easement through Lot 50.

MOTION: Commissioner Don Buehner made a motion to recommend approval for Bridle Gate Estates Phase 3 and authorize chair to sign.

SECOND: Commissioner Ro Wilkinson

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- B. Consider approval of a thirty two (32) lot residential subdivision Final Plat for “**Bridle Gate Estates Phase 4.**” The property is zoned RE-12.5 (Residential Estate 12,500 sq. ft. minimum lot size) and is located at approximately 3210 East and 2550 South (within the Little Valley area). The representative is Mr. Robbin Mullen, Region Engineering and Surveying. Case No. 2015-FP-047. (Staff – Wes Jenkins)

Wes Jenkins presented the item. This is for a ten (10) lot residential subdivision, not thirty-two lots as posted in the agenda, and will be corrected on the notice for the City Council meeting. This will be the final phase of Bridle Gate Estates.

Assistant City Attorney Victoria Hales asked if both Phase 3 and Phase 4 annex into the HOA and the equestrian HOA.

Wes Jenkins said there’s an overall HOA that covers the landscaping on 3000 East. The equestrian facilities are a sub HOA. You don’t have to belong to that one it’s an amenity that you choose to be part of. All phases must annex into the residential HOA (the equestrian HOA is optional).

MOTION: Commissioner Todd Staheli made a motion to approve a 10 lot residential subdivision and authorize chair to sign.

SECOND: Commissioner Don Buehner

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- C. Consider approval of a fifteen (15) lot residential subdivision Final Plat for “**Desert Plateau Phase 3.**” The property is zoned PD-R (Planned Development Residential) and R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at Deserts Edge Drive at approximately 6270 South (within the Desert Canyons Development). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-013. (Staff – Wes Jenkins)

Wes Jenkins presented the item. Zoning is PD-R. There are land use designations per the PD and R-1-10 is the land use in that area. They are down zoning most of the area and are building more of a single family product.

Councilman Joe Bowcutt asked if it’s in a PD don’t we have to have more information about what will be there.

Wes Jenkins responded yes, there need to be approved elevations and building types. It would be the same as previous homes in the area. They should submit the elevation with the preliminary plat.

Councilman Joe Bowcutt asked if there are any other phases that have been a split zone.

Wes Jenkins said yes there have been.

Councilman Joe Bowcutt questioned why we're just ignoring it and not amending the zone.

Wes Jenkins explained we didn't require an amendment because they are down zoning rather than asking for more. As long as they're not trying to go with a higher density we haven't required the amendment.

Councilman Joe Bowcutt countered that in reality it is a zone change amendment.

Assistant City Attorney Victoria Hales noted our maps show that Phase 3 is R-1-10 and that Phase 4 is possibly both R-1-10 and PD-R. We can make these two subject to legal approval, but this one appears as R-1-10, and that is the request.

Wes Jenkins added that with the PD there are lot size designations.

Assistant City Attorney Victoria Hales said Phase 3 says on the notice that it is R-1-10 and I believe that is accurate.

Chair Ross Taylor noted that all the lots are larger than R-1-10.

Councilman Joe Bowcutt stated that someone in the future can say this project was approved without a zone change and they would want to do the same thing.

Wes Jenkins stated an applicant can build less but cannot build to a higher density. They don't want to amend the whole PD because they want the potential to use their PD-12 in the future.

Councilman Joe Bowcutt stated not having the amendment is troublesome.

Continued debate as to whether this needs to be an amendment to the PD or not

Chair Ross Taylor noted Phase 4 meets the R-1-10 as well with larger lot sizes.

Commissioner Don Buehner stated process is important and I need clarification as to why this would be a zone change.

Councilman Joe Bowcutt explained that PD zone has an approved plan for building types and elevations and this varies from that original plan.

Wes Jenkins stated staff will need to review with legal.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 4C subject to legal review and authorize chair to sign.

SECOND: Commissioner Ro Wilkinson

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

- D. Consider approval of a twelve (12) lot residential subdivision Final Plat for “**Desert Plateau Phase 4.**” The property is zoned PD-R (Planned Development Residential) and R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at Barrel Roll Drive at approximately 3550 East (within the Desert Canyons Development). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-014. (Staff – Wes Jenkins)

Wes Jenkins presented the item – see comments from previous item. The whole area is PD-R and then there were designations in the PD as to what the different uses would be.

Commissioner Don Buehner stated that this phase is in a PD-R zone and typically there should be more content for review for the PD, and since we don't have that information that is a concern to me.

Wes Jenkins said they did not provide the elevation views and you can ask for that.

Chair Ross Taylor noted that when we review a PD-R we expect to see the whole project.

Wes Jenkins noted staff did make that argument and the applicant did not want to change their PD. They just want to build some units.

Chair Ross Taylor stated that to enjoy the flexibility of the PD means you have responsibility as well and we need to see that full submittal.

Wes Jenkins said they've been treating the area as R-1-10 as they go forward. They have become casual in their approach.

Councilman Joe Bowcutt said I can see this being a problem, I really can. Would lot size averaging be stated?

Wes Jenkins said they're approved for 8 DUA and up to 12 DUA in some areas.

Councilman Joe Bowcutt noted there are lots in here that are less than 10,000 s.f..

Assistant City Attorney Victoria Hales counseled if they use lot size averaging like in R-1-10 it appears to meet that. This splits the zones PD-R and R-1-10. You can recommend approval, recommend denial, or require the applicant to bring forward more information. Applicant could voluntarily continue it.

Commissioner Don Buehner said I would like to see it tabled and have the applicant bring forward more information through a zone change.

Assistant City Attorney Victoria Hales said the zone change takes longer so that may be why the applicant has proceeded in this manner.

Brad Peterson said he is confused as to why you are confused. We have done this in the past with multiple phases in Desert Canyons. We didn't change anything from the preliminary plat. At the time of final plat it is my understanding that any requirements for the plat come with the preliminary plat and not the final plat. We haven't ever had requirements outlined at the final plat stage. We have not brought in any elevations for houses in the past.

Chair Ross Taylor said because you've reduced the number of units and made it less dense we haven't expected of you the things a PD-R would be required to do and we *should* have done that in the past. The PD requires that you describe in good detail how you're going to develop. That

includes site plans, frontages, facades, etc. Those are all required in a PD. We've let that slip and it needs to be brought forward.

Assistant City Attorney Victoria Hales stated we missed it at the preliminary plat and potentially zone change stage. However, the preliminary plat is not final approval, and the city could request more information at this stage to show compliance with city ordinances. Also, for this phase it splits the zones R-1-10 and PD-R. If PD-R the written text should have provided the PD details that we would see in each phase coming in. It appears that we have done that for a number of plats where we didn't require materials boards or building elevations. The fact that we've done it wrong in the past is not a reason to continue doing it wrong. The applicant may choose to continue the item or because we are at the final plat stage the Planning Commission could determine that it could go forward in this instance but inform the applicant you will be looking for more information in subsequent phases for PD approval, but this one you could apply R-1-10.

Commissioner Don Buehner said I would be comfortable with that.

Chair Ross Taylor agreed to that option as well. We apologize for our error but in the future you must present all the items of the PD if it is in the PD-R zone.

Brad Peterson said we appreciate that. Any delays at this stage would be costly.

MOTION: Commissioner Don Buehner made a motion based on the idea that the PD-R information is not here and should have been presented with the preliminary plat, I recommend approval of this final plat subdivision zoned PD-R but approved because it also splits with R-1-10 and this meets that zone, but reiterate that slippage in the past regarding the PD phases will not continue, there must be all things that go with a PD in the preliminary plat stage in the future. With that recommendation, I also authorize chair to sign.

SECOND: Commissioner Todd Staheli

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

****NOTE - MOVED TO PUBLIC HEARING ITEM 7 PRIOR TO HEARING ITEM 5****

5. WIRELESS MASTER PLAN (WMP)

Consider a request to approve a WMP (Wireless Master Plan) for **InfoWest, Inc.** The representative is Mr. Kelly Nyberg, InfoWest. Case No. 2015-WMP-001. (Staff - Ray Snyder)

Item heard after Item 7

Ray Snyder presented Items 5 and 6 together – the presentation applies to both. A wireless master plan (Item 5) goes to Planning Commission for approval and does not go to City Council. Item 6 is a CUP that will be a recommendation to City Council. Mr. Nyberg has submitted a map outlining where the InfoWest towers are. 95% of their sites are on buildings. This is their second freestanding tower. The first is by a water tank and this will be as well. The purpose of the master plan is to add to it the proposed location by the water tank in the Ledges development. Item 5 is simply to allow them to have an additional site on their wireless master plan and ensure a plan exists.

For item 6 – Verizon submitted for this same location in the past and was approved. The applicant did provide a narrative and approval from the property owner regarding the location. InfoWest would like to install a 30' lattice structure. Staff feels the height not being taller than the tank and being so far away from development will not be an eye sore or very noticeable. Planning Commission must determine if being within 150' of a residential zone is acceptable. I'm not aware of any co-location for this tower.

Ray read through applicable code sections.

Because Item 6 is a CUP you will need to address the findings.

Kelly Nyberg, applicant – we may have at worst case an enclosure of 5' tall and not more than 3x5 enclosure. We want this is small as possible and may put a 2x2 box below the tower. The fencing, if required is to keep people away from the tower.

Commissioner Todd Staheli asked if the tower is for just InfoWest. Kelly Nyberg said yes, there will not be co-location at this tower. Commissioner Todd Staheli asked if we want them to go taller to allow for co-location. Chair Ross Taylor noted the City does encourage co-location to reduce the number of towers. Kelly Nyberg said we are open to any co-location that the City may have but there isn't additional need at this location. Councilman Joe Bowcutt stated if you put a 100' co-locatable tower there you'll get a lot of flack. Keeping it in line with the water tank would be best.

Commissioner Ro Wilkinson asked how this tower will better the area. Kelly Nyberg said anyone who can see the tower should get service and benefit from it.

Commissioner Todd Staheli asked if the tower will it be blocked from line of site by the tank. Kelly Nyberg said no, the position will allow access to all the residents.

Commissioner Don Buehner asked if the tank is 30' tall. Kelly Nyberg said the tank is taller than the tower.

Assistant City Attorney Victoria Hales asked staff if fencing is required.

Ray Snyder said we're used to seeing 100' towers that have large sheds and fencing. If there's a structure there I think they should fence it. Page 3 of the staff report states if there's an accessory building to the antennae that is to be fenced or monopole towers must be fenced. Kelly Nyberg showed an example out of Ray's presentation of a tower located in St. George that has a small enclosure and is fenced.

Assistant City Attorney Victoria Hales asked if fencing is proposed at this location.

Kelly Nyberg said if required we will. It's not in the plans but we can.

Commissioner Todd Staheli said I believe it should be fenced.

Ray Snyder said you can require a 6' fence in the CUP. The CUP will also need to address height, aesthetics, and character and purpose of the zone.

MOTION: Commissioner Julie Hullinger made a motion to approve Item 5 wireless master plan and to recommend approval of Item 6 CUP and require a 6' fence around the tower if requested by city and include the findings aesthetics to be compatible, meet any safety requirements, height is 30' and that it does maintain the character and purpose of the zone, detrimental effects are mitigated by staff conditions..

SECOND: Commissioner Todd Staheli

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

6. **CONDITIONAL USE PERMIT (CUP)**

Consider a request to construct a thirty foot (30') high telecommunications tower and related equipment in the Ledges Development (south of Winchester Hills) adjacent to the existing blue water tank. The applicant is InfoWest Inc. and the representative is Mr. Kelly Nyberg. Case No. 2015-CUP-012 (Staff – Ray Snyder)

Please see Item 5 – items were heard together and a motion regarding both items was made.

7. **ZONING REGULATION AMENDMENTS (ZRA)**

Consider a zoning regulation amendment to amend sections pertaining to short term rental parking: Title 10 Zoning Regulations, Chapter 14 'Supplementary and Qualifying Regulations', Section 10-14-22 "Short Term Leases of Residential Property." Section 10-14-22.3 'Auto and Parking Regulations' to change the existing parking requirements which will allow for higher densities in dwelling units, to allow tandem parking, and to allow tandem parking in the front setback area, add a new section (10-14-22.5) which defines occupancy. Consider amendments pertaining to parking in: Title 10 Zoning

Regulations, Chapter 19 ‘Off Street Parking Requirements’ Section 10-19-3 “Access to Individual Parking Spaces” and Section 10-19-4 “Residential Area Requirements” and Chapter 8 ‘Planned Development Zone’ Section 10-8-5 (D)(d) “Residential Development Standards.” Case No. 2015-ZRA-007 (Staff – John Willis)

Item heard prior to Item 5.

John Willis presented the following:

This is a proposal to modify the regulations in regards to short term rental parking regulations. The proposal is to delete what is currently listed and replace it with new language. This is a zone regulation amendment so even though the applicant has a specific property to address this language is City wide. The applicant did provide language but staff also went through and proposed language. The amendment is specific to a PD-R zone where you can request short term rentals under certain criteria such as unit count, amenities, etc.

John Willis read through the applicant’s proposed language.

Staff was concerned with enforcement when reading through the applicant’s proposal so staff took a different approach to the proposal.

John Willis read through staff’s recommended language.

These standards would only be applicable to single family or two family rentals.

Chair Ross Taylor asked if two family units is in regards to lock outs or duplexes. John Willis stated it is for both a lock out or duplex.

John continued to read the proposed language.

There would need to be a garage it cannot be a carport.

John continued to read the proposed language.

As we reviewed the code we wanted to ensure there were no conflicts. We are proposing to remove a section in 10-8-5(D)(1)(d) to eliminate conflict.

Councilman Joe Bowcutt noted we should not confuse this parking requirement with the requirements that will be set forth on short term leasing in residential areas. This is only for places in resort overlay right?

John Willis said that is correct it’s only for legal short term rentals in approved areas. The applicant’s interest is Shinava Ridge/Inn at Entrada.

Commissioner Don Buehner asked staff if there are any other concerns regarding the proposal. John Willis stated the proposed staff ordinance is more straight-forward. The current code is difficult to administer.

Assistant City Attorney Victoria Hales noted this applies to those size units only. It doesn't apply to the bigger projects in the resort overlays.

Chair Ross Taylor opened the public hearing.

Diamond McPherson –We support this change and have worked hard to get here.

Councilman Joe Bowcutt said it will be much easier to monitor.

Chair Ross Taylor closed the public hearing.

MOTION: Commissioner Ro Wilkinson made a motion to accept the zoning regulation amendment for short term rentals per staff's proposal.

SECONDED: Commissioner Don Buehner.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Julie Hullinger

Commissioner Todd Staheli

NAYS (0)

Motion carries.

ADJOURN

MOTION: Commissioner Todd Staheli made a motion to adjourn.

SECONDED: Commissioner Don Buehner

Meeting adjourned at 7:00 pm