

**HYDE PARK CITY
PLANNING COMMISSION
September 21, 2016**

The Hyde Park City Planning Commission meeting began at 7:00 p.m. and was conducted by Chairman Mark Lynne.

MEMBERS PRESENT

Chairman Mark Lynne, David Zook, Reed Elder, Melinda Lee, Brandon Buck and Cory Goettsche

OTHERS PRESENT

Mayor Bryan Cox, Tom Proffitt, Darrin Hancey (HP Building Inspector), Sue Measom, Jesse Salazar (In-Tech High School), Rich Geertsen, and Steve Cheek

PRAYER OR THOUGHT – Reed Elder

PLEDGE OF ALLEGIANCE – Melinda Lee

APPROVAL OF MINUTES

Melinda made a motion to approve the minutes of the Planning Commission meeting held September 7, 2016. Brandon seconded the motion. Mark Lynne, David Zook, Reed Elder, Melinda Lee, Brandon Buck and Cory Goettsche voted in favor.

BUILDING PERMIT REPORT

Jake Sorensen	Home	144 North 760 East
George O'Scanlon	Garage	304 North 1000 East
Darren Webber	Home	15 West 520 South

CITY COUNCIL REPORT

Councilmember Sharidean Flint reported on the Utah League of Cities and Towns Annual Convention held September 14-16, 2016. They enjoyed good entertainment, participated in the gubernatorial debate and attended good classes with helpful information such as economics, water, public meetings, and land use.

David Zook also attended as Nibley City's Manager. He especially liked a class presented by Charles Marone, titled Strong Towns. Charles discussed planning better cities; it happens by growing from the core outward. Also, streets are generally designed by engineers, for speed, but that is not necessarily in the best interest of cities. He discussed streets (neighborhoods) vs. roads (highways) and "stroads" (a combination of both) which is undesirable. Charles said generally roads are too wide.

PUBLIC HEARING - REZONE REQUEST (Administrative)

Jamie Proffitt requests to rezone his property along 200 South at approximately 900 East (property ID 04-043-0009, 20.58 acres) from A-1 (agricultural) to RE-20 (residential). Mark opened the Public Hearing. Tom Proffitt, Jamie's brother, said he was the previous trustee but now is helping his brother who resides in California. Regarding water issues from past requests denied, he said there is now a six inch line and a fire hydrant. Sharidean asked about storm water. Tom indicated the property is under

Planning Commission
September 21, 2016

contract pending this rezone. The new developer will be responsible for that. Mark closed the public hearing.

Mark spoke regarding the safety of the 200 south road. He calculated the road impact fee revenue from possible development of 41 RE-20 lots totaling \$95,530. He suggested that money could go toward a new bridge. The other 80+ lots could also help. If others develop, that only leaves frontage of Champlin, Axtell and Measom undone—about 1,000 feet.

Reed said this rezone has been previously approved at this level two times. There was much discussion last meeting. Smaller lots are better. He cited Greystone as an example with its many areas of large weeds. The land has a better use as RE-20. Also, nothing gets done to improve the dangerous condition of 200 south until we subdivide.

Sharidean said new homes should be required to pipe for secondary water. Reed said that will soon be ordinance.

Reed made a motion to approve the Proffitt property rezone from A-1 to RE-20. David seconded the motion. Mark Lynne, David Zook, Reed Elder, Melinda Lee, Brandon Buck and Cory Goettsche voted in favor.

Cory said the school buses will not stop on the section of 200 South between North Logan's 800 East and 1600 East because of the danger. Cory made a motion to recommend City Council look at 200 south for repairs in the near future. David said according to the county parcel viewer, 200 south is entirely in county property. There may be an issue with annexation.

Reed amended the recommendation to City Council that they add 200 South to the list of priority road projects. David seconded the motion. Mark Lynne, David Zook, Reed Elder, Melinda Lee, Brandon Buck and Cory Goettsche voted in favor.

As a side, Sue Measom asked about the Corry Craig property and road. Mark/Reed told her it was supposed to be dedicated to the city long ago but was not.

PLANET AUTO SITE PLAN (Administrative)

Planet Auto located at 3735 North Highway 91 submitted a site plan for approval. Steve Cheek presented the plans and clarified items like width and placement of the sidewalk. Reed made a motion to approve the site plan as presented. David seconded the motion. Mark Lynne, David Zook, Reed Elder, Melinda Lee, Brandon Buck and Cory Goettsche voted in favor.

Mayor Cox informed Steve Cheek the next step is a Development Agreement with Donja Wright in the city office. It will probably be on City Council's agenda next week.

PUBLIC HEARING - WEST PARK COMMERCIAL SUBDIVISION (Administrative)

Mark temporarily excused himself from the position of chairman as this is his personal interest. Reed opened the public hearing to consider the preliminary plat of the West Park Commercial Subdivision (250 West 3700 North) submitted by Mark Lynne, including plans for two lots on approximately 7.2 acres. No comment. Reed closed the public hearing. Reed said the subdivision promotes good and is an opportunity for the city as well. Melinda reported only one landowner questioning the subdivision

Planning Commission
September 21, 2016

during office hours. Mike Nielsen was pleased with the application and possible improvement of nearby land as it makes his own property of more value. Brandon made a motion to approve the subdivision as presented. David seconded the motion. David Zook, Reed Elder, Melinda Lee, Brandon Buck and Cory Goettsche voted in favor. Mark Lynne abstained.

REAR SETBACK AND CLASS A ACCESSORY BUILDING SETBACK DISCUSSION (Legislative)

1. Darrin Hancey, Hyde Park City's Building Inspector, said owners often times want to encroach into the rear setback with their decks. The current setback is 30 feet with an extra allowance of 60 square feet or 2 ½ feet maximum. He sometimes has to adjust submitted plans to conform. He proposes we change to a 20 foot setback, or less. Reed asked if this applies to A-1 zones also. Darrin said he sees no need for that, just RE-20 zones. We already require 25% open space. Reed said our zoning is probably the strictest in the county. Mark is okay with a 20 foot setback. If we go less, he suggests we separate the "deck" from the "home". Reed recommended Melinda change the RE-20 code to reflect a 20 foot setback and delete the exception of 60 square feet and 2 ½ feet encroachment.
2. Darrin Hancey also requested we consider reducing the setback of Class A accessory buildings to better use the space on property while respecting the rights and privacy of neighbors. He said a 200 square foot shed can be one foot off the property line but a 201 square foot shed has to be five feet off the property line. The building code allows the installation of a fire wall and 2 ½ foot setback. Darrin wants this personally and believes others want it, too. A five foot setback often becomes a junk pile. Reed never considered the setback because of fire hazard but so as not to encroach on neighbors. The matter should be put before the public. Darrin clarified he does not suggest changing the setback for 450 square foot sheds, only those 200-450 square feet. Consider a two foot setback. Mayor Cox voiced concern about a 20' x 20' detached garage being only one foot off the property line. Darrin said there will be problems no matter what. He requests an option: 1. Five foot setback or 2. Install a firewall and have a two foot setback. Again, this applies to RE-20 zones only. Melinda will prepare a change to the ordinance to allow the two foot setback if they install a firewall.

Darrin also brought up a new requirement in the building code related to retaining walls. Now, any retaining wall over four feet requires it to be engineered. If it is at the toe of a hill, anything over two feet needs to be engineered. He expects this will anger many landowners. Whether the wall is made of rock, concrete, blocks or another form does not matter. All of our new growth is happening on slopes. Cory asked who's responsibility it is to retain the land. Mayor Cox said whoever changes the contour of the natural lay. Reed said they retain their own water. Mark said the worst case scenario would be a four foot wall above and a four foot wall below, now eight feet. Darrin said he has already seen that. It is an awful fight between neighbors. Mayor said we could limit it to an eight foot wall. Reed pointed out the code already addresses sensitive lands, including large slopes. The Mayor said you could terrace the land if it was that tall. As for policing, he sees it similar to the fence ordinance: if we see, we speak up.

(8:15 David Zook had to leave early)

The Mayor hates complaint driven ordinances. Could we better educate and advertise using our newsletter ("Did you know...?"). He said education is paramount. Darrin said the four foot engineered retaining wall requirement has been in the state code for years.

OPEN SPACE AND BONUS DENSITY (Legislative)

Planning Commission
September 21, 2016

Continued to next meeting

TRAINING

Continued to next meeting

Meeting adjourned at 8:25 p.m.

Melinda Lee, Secretary