

WILLARD CITY CORPORATION PC030719

DATE: March 7, 2019
TIME: 6:30 p.m.
PLACE: Willard City Hall
ATTENDANCE: Chairperson – Terry Ross
Commissioner: Sidney Bodily, John Seamons, Leslie Meyer, Chandler Bingham, Gary Hart
Del Fredde – City Council member (non-voting member)
Bryce Wheelwright - City Planner (non-voting member)
Gaylene Nebeker - Planning Commission Secretary
EXCUSED:
CITIZENS: See attached sheet

1. **Prayer** – Leslie Meyer
2. **Pledge of Allegiance led by** Gary Hart
3. **Roll Call**
4. **General Public Comment (Input for items not on the agenda)**

a. Discussion/Action on revisions to Section 12-105 Conditional Use Ordinance and Section 12-112 Commercial and Manufacturing Zones

Commissioner Meyer was asked to do research on Residential Neighborhood Commercial. She said in her research of other cities they only use the word residential not neighborhood. She suggested the Planning Commission needed to look at this wording. She has written up her proposal as Residential and could be put as an RC Zone not a NC Zone. She read the definition

"To provide areas in locations where convenience buying outlets may be established to serve surrounding residential neighborhoods. The regulations of this district are designed to promote a combination of retail and service facilities which in character and scale are necessary to meet day to day needs of area residents.

Use Requirements include the stores, shops or businesses allowed in this district shall be permitted only under the following conditions:

- 1. Such business shall be conducted wholly within an enclosed building with no outdoor storage of goods.*
- 2. All products, whether primary or incidental, shall be sold at retail on the premises only.*
- 3. All uses shall be free from objection due to odor, dust, smoke, noise, vibration or other causes.*
- 4. No Big-Box Retail, Wholesale or Warehouse is allowed."*

Chairperson Ross asked if a business came in and wanted to put something along the highway could it be regulated under this. Commissioner Meyer felt it could.

Commissioner Bodily felt after we have what the definitions of the zones are they could start looking at what regulations would be required. City Planner Wheelwright asked Attorney McGaha the above statement could be enforced. City Attorney McGaha felt it could be but would need more information. Discussion was held on what a residential area would consist of.

Commissioner Seamons stated he was to gather information on Neighborhood. In his research he did not find anything with Neighborhood only Residential. He liked the information Chairperson Ross presented at the last meeting. He read from handout *"A business residential zone will be allowed if they meet the requirements and standards of the zone which they do business. Therefore this includes all State, County and Local requirements. These local requirements are found in the City Code. A business in a residential zone will have no more impact on a neighborhood than the average household with regards to traffic, parking, pedestrian access, building size, lighting, noise, hours of operation, hazardous material, outside storage, landscape, number of employees, parking, garbage, water, gas and power neighborhood health and safety and welfare. A business in residential zone cannot look any different than a house with no more traffic or noise."* He said there are many home businesses in Willard City that you would not know are there. City Planner Wheelwright explained under State requirements for home business there are businesses that do not require a business license. It was asked in their research was there any information on home based business. Commissioner Seamons did not see anything.

Commissioner Bodily reported on Manufacturing. *"To provide an appropriate location where heavy manufacturing, industrial process and warehouses may be established, maintained and protected. The regulations of this district are designed to protect environmental quality of the district and adjacent areas. The City Council may review any manufacturing enterprise which is considering building within in the city with the intent of approving only those for which mutual benefit for both the enterprise and the city would exist."*

To go along with that would be the number of employees, traffic, power, water etc. Chairperson Ross what type of business would not benefit the city. It was stated garbage dump, pig farm, gravel pit etc. In order for a manufacturing business to come in they would need to meet all the environmental issues.

Commissioner Bingham was unable to contact cities but felt what the city has for Commercial General is close to what he wanted. He read the following *"A Commercial General District is to provide areas in appropriate locations where a combination of business, commercial, entertainment in area that may be established, maintained and protected. Regulations of this district are designed to provide suitable environment for those commercial and service uses that are viable to economic life but some of which would be intrusive and disruptive in a shopping center type commercial development."* He felt a shopping center was something you would want in a Commercial General District. Chairperson Ross asked if they could come up with a definition of whether a business belongs in commercial or manufacturing zone. City Planner Wheelwright stated currently in Willard City there is manufacturing (truss plant) in a commercial general zone so a shopping center may not want to be

next to this type of business. It was determined this business was in the place before the Manufacturing Zone was established. City Planner Wheelwright stated there is nothing that can be done if he wants to stay where he is. Chairperson Ross asked what if they violate the definition of that zone. Commissioner Meyer asked about cleaning up the definitions in our current code. City Planner Wheelwright explained there are so many items on the list that can happen and are not covered.

Commissioner Seamons stated during the last meeting trying to determine if a use was permitted or conditional and felt the list was getting longer and we needed to come up with something different other than the list. Commissioner Bingham talked about the Filmore City Ordinance and their criteria and felt it may cover everything we need. Commissioner Meyer said in all the towns she researched they all had some type of table.

Commissioner Hart felt that we set the criteria for each zone with the city having the final say in what fits within each zone and would it be beneficial to the city. Make it simple not so hard for individuals. Do away with the table and go with the criteria for each zone.

Commissioner Seamons stated in the information the Planning Commission received from the League of Cities and Towns Training on Standards for Conditional Use Permits they addressed general review criteria that could be included as part of the review process.

Attorney McGaha felt the Planning Commission needs to look at each zone and decide what is going to fit in that zone. Look at the tax base and what kind of businesses do you want within the city and each zone.

The next meeting will address issues within the Residential Zones.

b. Discussion/Action on proposed revisions to Section 12-400-10-10 and Section 12-102-118 of the Willard City Zoning Ordinance to address curb, gutter and sidewalk requirements and set for a possible public hearing

c. Discussion/Action on revisions to Section 12-116-5 of the Willard City Zoning Ordinance addressing the number of residences allowed before a second access is required and set for a possible public hearing

City Planner Wheelwright reported on the requirements from the 2006 International Fire Code that states 30 homes with all units being equipped with a sprinkler system. He had talked with Fire Chief Van Mund who had a current code and said they have relaxed some of the code and would get them an updated copy of the law.

Discussion was held on the number of residences within the city that have more than 30 homes on a single access. It was also stated during the last meeting there was discussion held on having the access a city standard road width of 60 ft. and include the IFC (International Fire Code) recommendation and a justification on where the 30 came from.

A motion was made by Commissioner Bingham to schedule a public hearing for April 4, 2019 to address Section 12-400-10-10, Section 12-102-18 and Section 12-116-5 contingent on review at the March 21st meeting. The motion was seconded by Commissioner Seamons. The motion carried with a

unanimous vote.

d. Report on Capital Facilities Plan for Storm Drain

City Planner Wheelwright reported on a meeting held with Lewis, Young and Robertson on the fee study and will be moving forward on the project.

6. Approval of Minutes

A motion was made by Commissioner Bodily to approve the January 3rd, February 7th and February 21, 2109 Planning Commission minutes with changes. The motion was seconded by Commissioner Hart. The motion carried with a unanimous vote.

7. Commissioner Comments/Staff Comments

City Planner Wheelwright reported on a Commercial Subdivision Application for EK Bailey on 750 North and will be heard at a SLUA meeting.

Commissioner Bodily asked for update on water tank. City Planner Wheelwright explained they were still waiting on financing.

Commissioner Meyer asked about the business sign on 100 West stating it did not met the sign ordinance requirements. City Planner Wheelwright will be looking into the matter.

Commissioner Seamons asked if the trailer park at 9 North Main complies with the ordinances. City Attorney McGaha explained the Planning Commission cannot discuss this unless the owner is present to answer questions.

Commissioner Bodily asked about previous discussion by the Mayor on having an Enforcement Officer that covers several cities. City Planner Wheelwright said he has not heard from the Mayor on this subject since that meeting.

City Council member Fredde stated he was very proud with the progress the Planning Commission has made on the above items.

Chairperson Ross also thanked the Planning Commission for their hard work and time they have put in.

8. Adjourn

A motion was made by Commissioner Seamons to adjourn the March 7, 2019 Planning Commission meeting. The motion was seconded by Commissioner Meyer. The motion carried. The meeting adjourned at 8:10 p.m.

Minutes were read individually and approved on March 21, 2019

Planning Commission Chair Person
Terry Ross

Planning Commission Secretary
Gaylene Nebeker