
Minutes
Planning Commission Meeting
February 6, 2019
7:00 PM

1. Opening ceremonies:

Planning Commission Chairman, Mike Lloyd, called the meeting to order at 7:00 PM. A Quorum was present.

Those in attendance:

Commissioners Mike Lloyd, Barbara Anderson and Chris Chipping
Town Councilmember and Alternate Commissioner Ray Evans who filled a
vacancy on the Commission
Deputy Town Clerk - Alan Paystrup, Planning Commission Secretary
Town Clerk – Beth Hone

Others: Jamie Garrett

Commissioners Christine Carrigan, Heath Butler and Alternate Commissioner
Jim Wankier were absent

Prayer was offered by Chairman Mike Lloyd
Pledge of Allegiance was led by Commissioner Barbara Anderson

2. Approval of minutes from previous meetings:

Commissioner Ray Evans made the motion, seconded by Commissioner Barbara Anderson, to approve the minutes from the Regular Planning Commission Meeting held on January 2, 2019 and the Joint Work Meeting with the Town Council on January 2, 2019. All commissioners present were in favor. The minutes were approved.

3. Building Permits:

Tyson and Jamie Garrett – 245 N 300 E – New Home. Tyson and Jamie Garrett applied for a building permit to build a new home at 245 N 300 E. This is a ¼ acre lot in which they have a mobile home on. They have lived in the home in the past, but are not currently living there. They have talked to town officials about building a new home on the lot even though it is only ¼ acre. Because it was divided from family property at the time ¼ acres were allowed, they were told that they could build a new home there. There is an existing septic system there and the County Health Department has said that it is adequate and that a new one would not be necessary. They have permission from Jeremy Dubinsky, Jamie's brother, who owns the lot to the west, to extend the system if necessary. They will provide a letter stating such. Verl Wilkey, Levan Building Inspector, has approved the house plans, and the setbacks are as required. Commissioner Barbara Anderson made the motion, seconded by Commissioner Ray Evans to approve the building permit. All commissioners present were in favor. The permit was approved.

4. Reports:

Office Issued Permits:

Alan Paystrup, Planning Commission Secretary, reported that there were no building permits issued from the office since their last report.

5. Discussion Items:

Chairman Lloyd reported on the conversation he had with Brent Bateman, lead attorney for the Office of the Property Rights Ombudsman on January 4, 2019.

The following is quoting from his report:

Zoning, concerning duplexes – He says it is not necessary to change zoning from R-1, but we could. However, we should rewrite our ordinances to clarify what type of housing is and is not allowed. This would be 16.10.010 and the chart in 16.10.020. It now allows only single-family homes. (I don't know if there are other ordinances we also need to address). State if we want to allow duplexes, triplexes, or fourplexes. As per the General Plan, we may want to state that Condominiums are not allowed. Also, the G.P. states that the total number of multi-family dwellings should not exceed 3% of the total homes in town and that statement should be included in the ordinance.

Existing lots smaller than ½ acre to be declared unbuildable for homes – He strongly warned against that. We would be opening the door to lawsuits for “illegal taking of land” if we deny the property owner the right to build a home on a pre-existing lot. He did not know about the possibility that too many septic tanks on small lots could force the town into a sewer system. That would be something to discuss with the County Health Dept.

I asked about “grandfathering” as I do not see that term in our ordinances concerning any ordinance. He says the correct term is “Legal Non-conforming”. Annexation – If we want to limit or prohibit annexation for new subdivisions for lack of water or other utilities, or to require developers to provide their own water, that should also be written as an ordinance. We should research what has been done in other towns.

I asked about annexing a buffer or perimeter area all around town to protect from development in the County. He noted that if we do so, we are obligated to provide utilities to the whole area if it is developed for any use.

Note: We should be more involved with the County planners and work with them on future development outside our town. There is an interesting article in the January 2nd, 2019 “The Times-News” concerning Mona City and the county-wide enterprise zone. We ought to be more aware of this also. Even though we don't think it concerns us today, it might tomorrow.

6. Actions:

The selection of Chairman and Co-Chairman for 2019 was postponed until next month's meeting, with the understanding that there should be new Commissioners appointed.

7. Adjourn:

Commissioner Ray Evans made the motion, seconded by Commissioner Barbara Anderson to adjourn. All were in agreement. The meeting was adjourned at 7:50 PM.

Alan Paystrup, Deputy Town Clerk
Planning Commission Secretary

WORK SESSION: (after Regular Session)

There was a short work session held after the regular meeting. The General Plan was discussed. Chairman Mike Lloyd suggested that the General Plan Survey results should be posted in the next town newsletter. Commissioner Ray Evans made the motion, seconded by Commissioner Chris Chipping to adjourn. All were in agreement. The meeting was adjourned at 8:06 PM.

Alan Paystrup, Deputy Town Clerk
Planning Commission Secretary