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2
3 PLEASANT GROVE CITY
4 PLANNING COMMISSION MEETING MINUTES
5 NOVEMBER 7, 2019
6

7 **PRESENT:** Vice-Chair Tamara Oborn, Commissioners Bobbi Jo Blake, Tim Clyde, Todd Fugal,
8 Lisa Coombs, Peter Steele, and Jim Martineau (Alternate)
9

10 **EXCUSED:** Chair Dustin Phillips, and Commissioner Jeffrey Butler
11

12 **STAFF:** Daniel Cardenas, Community Development Director; Rylee Hall, City Planner; Shaun
13 Hilton, Staff Engineer; Barbara Johnson, Staff Assistant
14

15 **The Planning Commission held a Work Session at 6:30 p.m.**
16

17 Vice-Chair Oborn opened the regular session at 7:00 p.m.
18

19 **Commission Business:**
20

21 1. **Pledge of Allegiance:** Commissioner Martineau led the Pledge of Allegiance.
22

23 2. **Opening Remarks:** Commissioner Blake gave the opening remarks.
24

25 3. **Agenda Approval:**
26

- 27 • **MOTION:** Commissioner Coombs moved to APPROVE the agenda as part of
28 public record, with Item 3 being continued to the November 14, 2019 meeting.
29 Commissioner Fugal seconded the motion. The Commissioners unanimously voted
30 "Aye". The motion carried.
31

32 4. **Staff Reports:**
33

- 34 • **MOTION:** Commissioner Coombs moved to APPROVE the staff reports as part
35 of the public record. Commissioner Blake seconded the motion. The
36 Commissioners unanimously voted "Aye". The motion carried.
37

1 **5. Declaration of Conflicts and Abstentions from Commission Members:** There were
2 none.

3
4 **ITEM 1 – Public Hearing to Consider the Request of Richmond American Homes for a**
5 **Preliminary Subdivision Plat called Hidden Springs Subdivision Residential Condominium Plat**
6 **‘B’, on Property Located at Approximately 1473 West State Street in The Grove Zone – Grove**
7 **Mixed-Use (GMU) Overlay. SAM WHITE’S LANE NEIGHBORHOOD**

8
9 *NOTE: Items 1 and 2 were discussed simultaneously.*

10
11 Community Development Director, Daniel Cardenas reported that the applicant was requesting
12 approval of two plats within the same project. Last year, the Planning Commission approved a
13 condominium plat for the residential portion of the project for a total of 117 units. When the
14 applicant took that plan to the County, there were concerns with the wording on the plat. Because
15 the units changed from townhomes to single-family homes, they should not be called
16 condominiums. They would instead be called buildings. However, this was not the reason the
17 item was back before the Planning Commission. The applicant decided to phase the project, and
18 a two-lot subdivision was approved a few months earlier. Director Cardenas presented Plat B,
19 which contains 65 units, and Plat C, which contains 52 units. Staff recommended approval of both
20 plats.

21
22 Vice-Chair Oborn opened the public hearing.

23
24 Staff received a letter from Bob Conner, a business owner at 1390 West State Street who expressed
25 concerns about the widening of 1300 West.

26
27 Shaun Hilton explained that 1300 West will be completely redone and realigned. He expected the
28 project to be completed in the spring.

29
30 There were no further public comments. Vice-Chair Oborn closed the public.

31
32 **MOTION:** Commissioner Coombs moved that the Planning Commission forward a
33 recommendation of APPROVAL for the request of Larry Myler for an expendable subdivision
34 plat called Hidden Springs Subdivision Condominium Plat ‘B’, on property located at
35 approximately 1473 West State Street in the Grove Mixed-Use (GMU) Overlay in The Grove
36 Zone; and adopt the exhibits, conditions, and findings contained in the staff report, and as modified
37 by the condition below:

- 38
39 1. All Final Planning, Engineering, and Fire Department requirements are met.

40
41 Commissioner Steele seconded the motion. The Commissioners unanimously voted “Aye”. The
42 motion carried.

1
2 **ITEM 2** – Public Hearing to Consider the Request of Richmond American Homes for a
3 Preliminary Subdivision Plat called Hidden Springs Residential Condominium Plat ‘C’, on
4 Property Located at Approximately 1473 West State Street in The Grove Zone – Grove Mixed-
5 Use (GMU) Overlay. **SAM WHITE’S LANE NEIGHBORHOOD**
6

7 *NOTE: Items 1 and 2 were discussed simultaneously.*
8

9 **MOTION:** Commissioner Fugal moved that the Planning Commission forward a
10 recommendation of APPROVAL for the request of Larry Myler for an expendable subdivision
11 plat called Hidden Springs Subdivision Condominium Plat ‘C’, on property located at
12 approximately 1473 West State Street in the Grove Mixed-Use (GMU) Overlay in The Grove
13 Zone; and adopt the exhibits, conditions, and findings contained in the staff report, and as modified
14 by the condition below:
15

- 16 1. All Final Planning, Engineering, and Fire Department requirements are met.
17

18 Commissioner Clyde seconded the motion. The Commissioners unanimously voted “Aye”. The
19 motion carried.
20

21 **ITEM 3** – Public Hearing to Consider the Request of Pleasant Grove City to Amend City Code
22 Section 10-15: Supplementary Design Standards, by Adding the Following Section, Section 10-
23 15-49: Frontage Requirements for Commercial Developments, to Specify Requirements, for
24 Commercial Developments Only, Regarding Frontage and Accessibility on a Public Street.
25 **CITYWIDE** **Continued to the November 14, 2019, Planning Commission Meeting.*
26

27 **ITEM 4** – Public Hearing to Consider the Request of Pleasant Grove City to Amend City Code
28 Section 10-12-4: Conditions for the Establishment of Home Business, by Changing the Conditions
29 and Requirements for Uses Involving Sales or Retail of Products from a Residence, Including
30 Online Sales. **CITYWIDE**
31

32 Director Cardenas reported that the proposed amendment was intended to clarify the ordinance
33 regarding retail sales for home businesses. The existing home occupation section of the ordinance
34 outlines specific circumstances in which retail sales is allowed, as follows:
35

- 36 1. The products or commodities are produced on the premises; or,
37
38 2. The products or commodities are incidental to the service provided on the premises; and,
39
40 3. The intensity of the retail activity on the premises is limited to a maximum of two
41 customers per hour.
42

1 Director Cardenas commented that big box and other retailers are disappearing because of online
2 sales. Staff anticipated seeing an increase in home-based online sales businesses. According to
3 the criteria listed above, these businesses will not be allowed because the products are not produced
4 on the premises and are not incidental to a service provided. However, the City has granted
5 business licenses for such uses. The Code does place other limitations on home-based businesses,
6 such as limiting the size of the business to 25% of the square footage of the home, including
7 storage.

8
9 Recently, the City received an application for a home-based business for online sales but the
10 residents were negatively impacted by it. In response to their concerns, staff was proposing a few
11 minor changes to the ordinance to help mitigate the impact. They proposed to allow internet and
12 mail order sales as a home office use only. This means that someone could be working on a
13 computer from their office, but the exchange of merchandise is not allowed in the home, on the
14 premises, or in any portion of the residential zone. Enforcement would be difficult, but it was
15 important to have regulations in place if complaints are received from the neighbors. Staff was
16 also proposing to alter the language regarding deliveries, as follows:

17
18 D. Sales: The home occupation may include the sale of commodities. However, it
19 is the intent that it be limited to items produced on the premises, or items that
20 are incidental to the service provided, e.g., a beautician who also sells hair care
21 products to her clientele. ~~Retail sales of products and services are allowed at the~~
22 ~~home with maximum of two (2) customers per hour.~~ The home occupation shall
23 not generate more than two (2) vehicular round trips related to the home
24 occupation business activities during any single hour, including deliveries and
25 shipping.

26
27 1. Online Sales: Internet and mail-order-based sales home occupations are
28 allowed as a home office only. The in-person monetary transaction and/or
29 exchange of merchandise is not allowed in the home, on the premises or in any
30 portion of a residential zone.

31
32 *NOTE: City Engineer, Shaun Hilton, left the meeting at 7:30 p.m.*

33
34 Commissioner Fugal asked if the 25% square footage calculation included garages or detached
35 accessory structures and wondered if an owner could use an entire accessory structure that is
36 entirely devoted to the home business. Director Cardenas stated that the Code does not prohibit
37 the use of a detached structure in a home-based business but they could include such language if
38 the Planning Commission feels it is appropriate. Commissioner Clyde stated that the Code
39 specifies "25% of the total floor area of said structures". He asked if that was 25% of each structure
40 or overall. Director Cardenas explained that it is the total floor area, including the garage. The
41 Code does require that two cars be able to park within the garage.

42
43 Commissioner Blake was not concerned if an individual keeps storage in a shed as long as they
44 follow the spirit of the other rules in the ordinance.

1
2 The Planning Commission discussed whether accessory structures should be included.
3 Commissioner Clyde commented that the square footage limitation was more about impact than
4 the actual percentage. He was concerned about limiting deliveries because there are avid online
5 shoppers that receive more deliveries than a home-based business but the City is not limiting them.
6 Director Cardenas argued that a home-based business is a privilege more than a right. Staff
7 confirmed that there are 583 registered home occupations in Pleasant Grove.

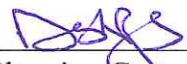
8
9 There was overlapping discussion regarding square footage percentages, traffic, and other impacts
10 on the neighborhood.

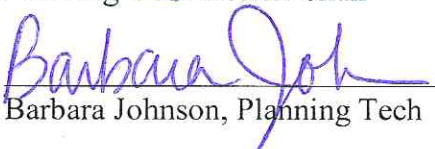
11
12 **MOTION:** Commissioner Fugal moved that the Planning Commission forward a
13 recommendation of APPROVAL to the City Council for the proposed amendments to City Code
14 Section 10-21: Home Occupations; and adopt the exhibits, conditions, and findings contained in
15 the staff report. Commissioner Coombs seconded the motion. The Commissioners unanimously
16 voted "Aye". The motion carried.

17
18 **ITEM 5 – Review and Approval of the Minutes from the October 24, 2019, Planning Commission**
19 **Meeting.**

20
21 **MOTION:** Commissioner Steele moved to APPROVE the minutes from the October 24, 2019,
22 Planning Commission meeting, as amended. Commissioner Martineau seconded the motion. The
23 Commissioners unanimously voted "Aye". The motion carried.

24
25 **MOTION:** Commissioner Coombs moved to adjourn the meeting at 8:06 p.m. Commissioner
26 Fugal seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

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29 
30 _____
31 Planning Commission Chair

32 
33 _____
34 Barbara Johnson, Planning Tech

35 12/12/2019
36 _____
Date Approved