

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

Dec 5, 2019

1. Roll Call:

Chairman Garrett Greenhalgh, Commissioners Lynette Dickey, Rachel Thompson, Bonnie Farmer, Darcy Ripplinger (Alt.) and Matt Anderson (Alt.).

Others Present:

Development Coordinator Harry Meadows. Secretary Adria Davis recorded the minutes.

2. Opening Remarks/Pledge of Allegiance

Chairman Greenhalgh opened the meeting at 8:01 p.m.

He led all present in the Pledge of Allegiance.

3. Review and Approval of agenda

The agenda for the Planning Commission meeting of Dec 5, 2019 was reviewed. A motion was made by Commissioner Thompson to approve the agenda as presented. Commissioner Dickey seconded. Commissioners Greenhalgh, Dickey, Thompson, Farmer, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioners Lewis absent.

4. Review and Approval of the Minutes from Nov 21, 2019

The Planning Commission meeting minutes were reviewed. A motion was made by Commissioner Dickey to approve the minutes as outlined. Commissioner Thompson seconded. Commissioners Greenhalgh, Dickey, Thompson, Farmer, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioners Lewis absent.

Commissioner Larry Lewis and Councilman Daniel Grange arrived at the meeting.

5.A. Commercial Definitions.

The entire ordinance of 17.26 was reviewed to change the wording referring to Commercial General.

There was some discussion about future commercial zones and who might want to expand their current business next to a residential zone (i.e. in the south fields).

They also reviewed new annexed lands coming into the city. These would come into the city as agricultural zones and then be determined according to the master plan.

The sign types matrix was also reviewed.

The manufacturing and services categories will be eliminated, and the retail category will be changed to a commercial general category.

Section C. will be changed to match the Zollinger sign requirements.

Section G. will be changed to 17.44.080 A 4a.

5.B. Ordinance 17.40.30 revisions.

The proposed changes from last meeting were reviewed and all were in agreement.

Commissioner Thompson made a motion to set a public hearing for changes to ordinance 17.26 - Commercial Manufacturing, on Jan 16, 2020 at 8:05 pm. Commissioner Anderson (Alt.) seconded. All voted in Favor.

Commissioner Thompson made a motion to set a public hearing for changes to ordinance 17.40.30 R-1, R-2, R-3 Residential, on Jan 16, 2020 at 8:10 pm. Commissioner Lewis seconded. All voted in Favor.

5.C. Other

The sidewalk issue was again brought up. This will be discussed in the City Council meeting in January.

Commissioner Darcy Ripplinger made a motion to cancel the January 2nd Planning Commission meeting. Commissioner Farmer seconded. All voted in Favor.

6. Agenda Items for Next Meeting

Nothing pending

7. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, Dec 19, 2019 at 8:00 pm.

8. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 9:03 p.m.

MILLVILLE CITY CODE

TITLE 17 – ZONING

CHAPTER 17.26 - COMMERCIAL ~~MANUFACTURING (CM)~~ General (CG)

17.26.010: PURPOSE

17.26.020: PERMITTED USES

17.26.030: CONDITIONAL USES

17.26.040: APPLICATION REQUIREMENTS

17.26.050: AREA, SETBACK AND HEIGHT REQUIREMENTS

17.26.060: SPECIAL PROVISIONS

17.26.070: APPLICATION REVIEW FEE

17.26.010: PURPOSE

To provide commercial ~~manufacturing~~ General areas to serve the residents of the city and a larger geographic area. (Ord. 2012-4, 2012)

17.26.020: PERMITTED USES

~~Uses approved by the city council as being in harmony with the health, safety and welfare of the citizens. (Ord. 2012-4, 2012)~~

Commercial uses only, no residential.

17.26.030: CONDITIONAL USES

The following may be permitted conditional uses after application and approval as specified in section 17.64.070 of this title:

Education services both public and private. (Ord. 2013-2, 2013)

17.26.040: APPLICATION REQUIREMENTS

All applications to the planning commission for development in the commercial **manufacturing** **general** zone shall be accompanied by the following technical information reports, all prepared by a licensed engineer or landscape architect, as the case may be, in sufficient detail to allow evaluation of health, safety, and general public welfare aspects of the development. The reports shall include:

A. Site Development Plans:

1. A grading or earthmoving plan showing existing and proposed contours of the property. The contour lines shall extend to at least one hundred feet (100') outside the property lines, or a sufficient distance to show on site and off site drainage channels. The contour interval shall be two feet (2').
2. Detailed site plans and elevation drawings showing the location of all existing and proposed streets, easements, and drainage channels.
3. Traffic flow study, if deemed necessary by the city engineer.
4. Detailed site plan showing the location and proposed connection points of utilities, including, but not limited to, water, natural gas, electricity, sewer and telecommunications.
5. A fire protection plan accompanied by letters of approval from the fire chief and the county fire marshal.
6. Detailed site plan showing the boundaries of any established FEMA or any other floodplain within the property and within six hundred feet (600') of the property lines.
7. When any area of the lot exceeds slope class 1 specifications, a hillside development permit shall be required with the application.

B. Drainage Control Plans: A drainage control plan and report based upon the following criteria:

1. Independent Drainage Systems: All drainage systems shall be independent from the sanitary sewer or septic system.

2. **Natural Drainage Channel:** No natural drainage channel shall be filled, obstructed, or diverted, nor shall the point of entrance and exit from the property be changed without the approval of the city engineer.
3. **Drainage Basin Upstream:** All of the drainage basin upstream of the development shall be considered in the analysis as fully developed and considered in the design of any stormwater drainage facilities.
4. **Effects On Downstream Property:** The effects on the downstream property owners relative to increased flood potential shall also be considered in the design, including acquisition of easements, construction or modification of improvements where needed.
5. **Existing Drainage Channels:** Developments shall use existing drainage channels or newly constructed control structures and retention facilities to control its stormwater runoff so that no net increase in storm runoff will occur on the downstream properties.
6. **Stormwater Adequately Conveyed:** The stormwater from a 50-year frequency storm with a duration equal to the time of concentration shall be adequately conveyed within the storm drainage channels, from the project to established drainage outlet channels without creating flood hazards to adjoining properties.
7. **Underground Pipe System:** When an underground pipe system is required, it shall be designed to carry a 10-year storm. The minimum storm drain size shall be twelve inches (12").
8. **Cross Gutter Drains:** Cross gutter drains on streets shall be avoided where possible. They shall not be allowed on major streets.
9. **Groundwater Sources On Property:** When springs or other groundwater sources are found on the property, development plans must be reviewed and approved by Bear River health department or appropriate government agency.
10. **Constructed Outside Floodplain:** All building shall be constructed outside the limits of any of the 100-year floodplain. Foundations within five hundred feet (500') of the floodplain boundary shall be a minimum of eighteen inches (18") above the 100-year flood stage, except on floodplains subject to FEMA regulations, in which case they shall be a minimum of two feet (2') above the 100-year flood stage.

11. Stormwater Permits: Discharge permits are required from most industries that discharge stormwater runoff to surface waters such as lakes or streams. Stormwater pollution prevention plans must be in place prior to application. All construction activities that disturb more than five (5) acres (clearing, grading and excavating) are required to obtain a UPDES construction stormwater permit (mainly for sediment and erosion control).
- C. Geology Soils Report: A geology soils report shall contain at least the following information:
1. A foundation investigation including bearing strength capacity, sheer strength, and shrink/swell potential of soils and conclusions and recommendations on the effects of soil conditions on foundation and structural stability.
 2. Location and yield of seeps and springs;
 3. A description of geological structural features, including any geological limitations;
 4. Conclusions and recommendations regarding the effect of geologic conditions on the proposed development, together with recommendations identifying the means proposed to minimize any hazard to life or property or adverse impact on the natural environment.
- D. A Landscape Plan: The plan shall be of adequate scale and detail to indicate general grading and plantings along irrigation and temporary erosion control. For areas to be used as surface retention basins for stormwater runoff, the plan shall identify the location and sizing of control facilities and address operation and maintenance of the control facility in conjunction with the landscape improvements.
- E. Additional Information: Other reports, plans, and information as may be deemed necessary by the planning commission, city council, or city engineer may be requested as a condition to the application procedure. (Ord. 2013-2, 2013: Ord. 2012-4, 2012)

17.26.050: AREA, SETBACK AND HEIGHT REQUIREMENTS

- A. Yard Requirements: The minimum yard requirements for all main and accessory buildings are as follows:
1. Front yard: Thirty feet (30');

2. Side yard:

- a. Thirty feet (30') if adjacent to a ~~residential~~ residential or agricultural zone or facing on a street,
- b. No minimum side setback required when abutting other commercial property;

3. Rear yard:

- a. Thirty feet (30') if adjacent to a residential or agricultural zone, or facing on a street,
- b. Twenty feet (20') if adjacent to other property ~~commercial~~ zoned ~~as~~ commercial.

B. Building Height: The maximum height of a building or structure shall be ~~fifty feet (50')~~ thirty-five feet (35'). The planning commission may reduce the height allowed at locations where a reduction in height is necessary to minimize the impact on surrounding land uses.

C. Lot Corners: Lot corners will be marked with five-eighths inch (⁵/₈") rebar (#5 rebar) that is eighteen (18) to twenty-four inches (24") long, capped with the surveyor's red cap containing the surveyor's name or license number driven down to ground level. (Ord. 2014-3, 2014: Ord. 2013-2, 2013: Ord. 2012-4, 2012)

17.26.060: SPECIAL PROVISIONS

A. Trash Prohibited Outside Containers: No trash, rubbish, weeds, or other combustible material shall be allowed to remain on any lot outside of approved containers in any commercial zone. No junk, debris, abandoned or dismantled automobile or automobile parts, or similar material shall be stored or allowed to remain on any lot in any commercial zone.

B. Screening:

- 1. All trash or refuse receptacle areas shall be completely screened from surrounding properties by a fence, landscaping, or wall that is a minimum of six

feet (6') high or shall be enclosed within a building. Any trash or refuse receptacle area shall be a minimum of ten feet (10') from any ~~zone. agricultural use.~~

2. All ground mounted mechanical equipment including, but not limited to, heating and air conditioning units, shall be completely screened from surrounding properties by a fence, landscaping, or wall or shall be enclosed within a building.
3. All utility connections shall be compatible with the architectural elements of the site and not be exposed except where necessary. Pad mounted transformers and/or meter box locations shall be included in the site plan with an appropriate screening treatment. Power lines and other utility cables shall be installed underground where possible.
4. Loading areas and docks shall be screened by landscaping and/or visual barriers from adjacent properties where possible.

C. Perimeter Wall:

1. All uses shall have a wall along all rear and side yards not fronting on a public street, which abut ~~a~~ ~~an~~ ~~residential or~~ agricultural zoned property. These requirements may be waived by the city council upon a determination that the wall is not necessary to buffer the adjacent use. Such walls shall not be located in the required setback from a public street.
2. All perimeter walls shall be a minimum of six feet (6') high unless the planning commission approves or requires an increase or reduction.
3. The city council may allow appropriate access to trails, creeks or other open space amenities.

D. Landscaping: The owner, tenant and any agent shall be jointly and severally responsible for the maintenance of all landscaping in good condition and free from refuse and debris so as to present a healthy, neat and orderly appearance.

E. Access and Parking: The number of access points along public streets shall be minimized by sharing and linking parking areas with adjacent properties. Reciprocal ingress and egress, circulation and parking agreements shall be required to facilitate the ease of vehicular movement between adjoining properties. On corner sites access points shall be located as far from the corner as reasonably possible and in no case less than sixty feet (60') from the point of intersection of the property lines. Vehicular circulation shall be designed to preclude the intrusion of traffic directly into ~~residential or~~ agricultural areas.

F. Hours Of Operation:

1. ~~Commercial uses may be open for business twenty-four (24) hours a day, seven (7) days a week, unless restricted by the city council.~~
1. Commercial uses may be open for business from eight o'clock (8:00) A.M. to six o'clock 6:00 P.M. Hours may be adjusted based upon adjacent property and type of business, unless restricted by the city council.
2. Commercial garbage and rubbish collection shall only occur between seven o'clock (7:00) A.M. and six o'clock (6:00) P.M., if there is a residential zone or residential use within three hundred feet (300') of the collection point.

G. Coverage Restrictions: A building or group of buildings, with their accessory buildings, shall not cover more than fifty percent (50%) of the project area unless the city council approves a higher percentage.

H. Lighting:

1. The maximum height of luminaries shall be eighteen feet (18') unless the city council requires a lower height. The light shall be low intensity, dark sky, and shielded from uses on adjoining lots, and directed away from adjacent property in an agricultural zone or ~~a residential zone adjacent agricultural use.~~
2. All parking luminaries, except those required for security, shall be extinguished one hour after the end of business hours. The exception for security lighting applies to a maximum of twenty five percent (25%) of the total luminaries used, unless the city council approves a higher percentage.

I. Nuisance Factors and Hazards: Operations shall be in compliance with the city's nuisance ordinances, state and federal laws for activities which emit offensive or objectionable noise, vibration, smoke, odors, dust or gases, air pollution, water pollution, or generates heavy truck traffic. Precautions shall be taken in all operations against radiation, radioactivity, fire and explosion hazards.

Activities conducted on the premises shall comply with all local, state and federal laws and regulations and permits.

J. Pedestrian Walkways: Pedestrian walkways, a minimum of four feet (4') (5') wide, shall be provided to accommodate pedestrian movement between activity centers within the site.

Public easements for walkways, jogging paths and similar uses may be required.

- K. Consistency With Master Plan: Development shall be consistent with the comprehensive master plan for the city. (Ord. 2013-2, 2013: Ord. 2012-4, 2012)

17.26.070: APPLICATION REVIEW FEE

At the time the application for development in the commercial **manufacturing general** zone is filed, there shall be paid to the treasurer an application review fee for each application, as established by resolution of the city council. This fee is not refundable. (Ord. 2013-2, 2013: Ord. 2012-4, 2012)

SIGN TYPES ALLOWED

SIGN TYPE	CMG (Manufacturing)	CSG (Services)	CRG (Retail)	RES	Agricultural
A. Free Standing	Max. Height 35' Max. Size 200 sq. ft.	Max. Height 25' Max. Size 120 sq. ft.	Max. Height 15' Max. Size 48 sq. ft.	Not Allowed	Not Allowed
B. Low Profile/Monument	Allowed Max Height 6' Max Size 48 sq. ft.	Allowed Max Height 6' Max Size 48 sq. ft.	Allowed Max Height 6' Max Size 48 sq. ft.	Not Allowed	Not Allowed
C. Building Mounted	20% of the face of each individual unit.	20% of the face of each individual unit	17:44:080 48 sq. ft.	Not allowed on home. Allowed on accessory building. 10% of one face of the building up to 45 sq. ft.	Not allowed on home. Allowed on accessory building. 20% of one face of the building up to 45 sq. ft.
D. Projecting	Allowed- but included in the 10% of total building mounted signs.	Allowed- but included in the 10% of total building mounted signs.	Allowed- but included in the 10% of total building mounted signs.	Not Allowed	Not Allowed
E. Hanging	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed
F. Awning Signs	The lettering or decal portion of the awning is included in the 10% total allowable signage per building face.	The lettering or decal portion of the awning is included in the 10% total allowable signage per building face.	The lettering or decal portion of the awning is included in the 10% total allowable signage per building face.	Not Allowed	Not Allowed
G. Externally Illuminated	17:44:080 A 4a.	17:44:080 A 4a.	Not Allowed	Not Allowed	Not Allowed
H. Internally Illuminated	Color lights and electronic signs allowed. No strobe flashing lights.	Allowed- if 500 ft. from residential zone. No strobe flashing lights.	Allowed- if 500 ft. from residential zone. No strobe flashing lights.	Not Allowed	Not Allowed
I. Manually Changeable	Allowed	Allowed	Allowed	Not Allowed	Not Allowed

ATTACHMENT “A”

SIGN TYPE	CMG (Manufacturing)	CSG (Services)	CRG (Retail)	RES	Agricultural
J. Special Purpose	Allowed See Footnote #2	Allowed See Footnote #2	Allowed See Footnote #2	Allowed See Footnote #2	Allowed See Footnote #2
K. Temporary	Allowed See 17.44.090	Allowed See 17.44.090	Allowed See 17.44.090	Allowed See 17.44.090	Allowed See 17.44.090
L. Window	Allowed	Allowed	Allowed	One window sign allowed. Up to 2 sq. ft.	One window sign allowed. Up to 2 sq. ft.
M. Electronic	Allowed- if 500 ft. from residential zone. Up to 50% of size of allowable signage. No strobe flashing lights.	Allowed- if 500 ft. from residential zone. Up to 50% of size of allowable signage. No strobe flashing lights.	Allowed- if 500 ft. from residential zone. Up to 50% of size of allowable signage. No strobe flashing lights.	Not Allowed	Not Allowed
N. Billboard Signs	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed

FOOTNOTE #1: COMMERCIAL ZONES

NO SINGLE PROJECTING SIGN MAY EXCEED SIX (6) SQUARE FEET IN AREA OR MAY PROJECT MORE THAN THIRTY-SIX INCHES (36”) FROM THE FACE OF THE BUILDING TO WHICH IT IS ATTACHED. PROJECTING SIGNS MUST HAVE AT LEAST EIGHT FEET (8') OF GROUND CLEARANCE, AND CANNOT BE HIGHER THAN THE BUILDING TO WHICH THEY ARE ATTACHED. THEY MAY NOT EXTEND BEYOND THE APPLICANT'S PROPERTY.

FOOTNOTE #2: COMMERCIAL, RESIDENTIAL, AGRICULTURAL ZONES

SIGNS AND BANNERS PROMOTING EVENTS SPONSORED BY CIVIC, CHARITABLE, EDUCATIONAL, OR OTHER NONPROFIT ORGANIZATIONS MAY BE ERRECTED ON PRIVATE PROPERTY UP TO TWO (2) WEEKS IN ADVANCE OF THE EVENT BEING PROMOTED. THESE SIGNS SHALL BE REMOVED WITHIN FIVE (5) DAYS FOLLOWING THE CONCLUSION OF THE EVENT. SIGNS OR BANNERS LOCATED ON OR OVER PUBLIC PROPERTY EASEMENTS OR RIGHTS OF WAY ARE SUBJECT TO THE REQUIREMENTS OF THIS CODE AND REQUIRE APPROVAL BY THE MAYOR.

17.40.030: R-1, R-2, R-3 RESIDENTIAL

~~A. Required yard areas except those portions devoted to driveways and/or parking shall be reasonably landscaped with plants, trees, grass or similar landscaping materials.~~

A. Required yard areas for landscape.

1. Interior lot: 15 feet out on the side yard, 30 feet out in the front and rear yards as measured from the foundation.
2. Corner lot: 15 feet out on the interior side yard, 20 feet out on side yard adjacent to the street and 20 feet out on rear yard as measured from the foundation.

B. All required landscape areas shall be permanently maintained with suitable landscaping materials of plants, shrubs, trees, grass or similar materials.

C. Landscape installation must be completed within two (2) years of occupancy of building. (Ord. 2009-1, 2009: Ord. 99-02-18-01 § 2)