PAYSON CITY

PLANNING COMMISSION MEETING

Payson UT 84651 – Held via remote conferencing through Zoom Video Communications

Wednesday, April 8, 2020 7:00 p.m.

CONDUCTING Kirk Beecher, Vice Chair

COMMISSIONERS Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Blair Warner, Kit Morgan

EXCUSED John Cowan

STAFF Daniel Jensen, Planner II

 Kim Holindrake, City Recorder

OTHERS Cliff Holt

1. Call to order

This electronic meeting of the Planning Commission of Payson City, Utah, having been properly noticed, was called to order at 7:00 p.m.

1. Roll Call

Seven commissioners present.

1. Invocation/inspirational thought - Commissioner Marzan shared a thought on how the planning commission is tasked with helping Payson grow especially at this time when we are expecting and experiencing a lot of growth. It’s been an interesting challenge. She found a quote by Dan Millman from his book Wisdom of the Peaceful Warrior. “The secret of change is to focus all of your energy not on fighting the old but on building the new.” She likes this quote because change is happening, and it’s going to keep coming. We need to focus on the new and guiding progress in our city.
2. Consent agenda
	1. Approval of the minutes for the regular meeting on March 25, 2020

**MOTION: Commissioner Warner- To approve the consent agenda.** Motion seconded by Commissioner Marzan. Those voting yes Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

1. Public Forum

No public comments.

1. Review Items
	1. PUBLIC HEARING – Request by Jay Larson for preliminary and final approval of the Payson Place Subdivision, a two-lot subdivision arranged on Utah County Parcel 49:771:0001 located at 837 S Turf Farm Road in the S-1, Special Highway Service Zone.

Staff Presentation:

Daniel Jensen reported this is an administrative approval of a two-lot subdivision to separate ownership with a cross-access easement. The planning commission is the final approval authority. Staff is confident all the outstanding requirements can be addressed.

**MOTION: Commissioner Morgan - To open the public hearing.** Motion seconded by Commissioner Warner. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

Public Hearing:

Cliff Holt asked if anything would affect his pharmacy business at 869 Turf Farm Road (Payson Place, Plat A, Lot 2).

Daniel Jensen stated there is no impact to this property, and there are no new development opportunities with the subdivision. The cross-access easement is for the parties involved. Anything existing under the prior plat still remains in force such as easements and agreements.

 **MOTION: Commissioner Frisby - To close the public hearing, item 6.1.** Motion seconded by Commissioner Morgan. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

**MOTION: Commissioner Warner - To approve this subdivision (preliminary and final of the Payson Place Subdivision) pending any staff conditions that haven’t been resolved.** Motion seconded by Commissioner Moore. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

* 1. PUBLIC HEARING – Request Jay Larson for preliminary and final approval of the AFFCU Payson Subdivision, a two-lot subdivision arranged on Utah County Parcel 34:595:0002 located at 919 S Turf Farm Road in the S-1, Special Highway Service Zone.

**MOTION: Commissioner Morgan – To remand the AFFCU Payson Subdivision back to staff.** Motion seconded by Commissioner Marzan. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

* 1. PUBLIC HEARING – Request by Chase Adams to recommend approval for use of the I-O, Infill Overlay to reduce the required frontage requirement in the R-1-7.5, Residential Zone to create a flag lot on Utah County Parcel 08:083:0027 located at 345 North 700 East. (7:20 p.m.)

Staff Presentation:

Daniel Jensen spoke to and received comments from Donna Kay Furniss and Keynon Taylor, who brought up right-of-way issues. He will send the staff report and information to Kenton Phillips.

* 1. PUBLIC HEARING – Request by Chase Adams to recommend preliminary approval of the Lone Pine Subdivision, Plat A - to subdivide Utah County Parcel 08:083:0027 located at 345 North 700 East in the R-1-7.5, Residential Zone to create an additional building lot.

**MOTION: Commissioner Warner – That items 6.3 and 6.4 the requests by Chase Adams for approval of the I-O Infill Overlay to reduce the required frontage in the R-1-7.5, Residential Zone to create a flag lot and the companion public hearing and the preliminary approval of the Lone Pine Subdivision, Plat A, that the public hearings be opened and continued to the next meeting.** Motion seconded by Commissioner Frisby. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

1. New Business
	1. Selection of Planning Commission Chair and Vice Chair

Commissioner Beecher stated Commissioner Cowan has asked not to be the chair.

**MOTION: Commissioner Morgan – To nominate Kirk Beecher as Chair.** Motion seconded by Commissioner Warner. Those voting yes Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

**MOTION: Commissioner Marzan – To nominate Ryan Frisby as Vice Chair.** Motion seconded by Commissioner Moore. Those voting yes Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

* 1. Review of Planning Commission Bylaws and Rules of Procedure for Consideration of Amendment

Commissioner Beecher stated the commission is to review the bylaws at the first meeting in April. He reviewed the duties of the chair and vice chair.

Commissioner Marzan questioned the section regarding meeting attendance for electronic meetings because three members aren’t at the meeting location.

Commissioner Beecher stated this section is superseded by the governor and state rule that we are not to meet in large groups. Mayor Wright concurred with the state as well.

**MOTION: Commissioner Morgan – To accept the current bylaws as written.** Motion seconded by Commissioner Warner. Those voting yes Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

1. Commission and Staff Reports and Training (7:30 p.m.)

Daniel Jensen reviewed the proposed amendments to Appendix A relative to utilities and conditional use for electric generation plants. A new section was added in design standards for garbage containers and a utility disclaimer with more details. Staff has discussed projections into setbacks with the building official and fire chief and received comments from the development services director. The idea is to increase the amount a deck or patio cover can project into the interior side setback and rear setback. One concern is maintaining public utility easements. The projections would count as part of the impervious lot coverage, which in residential zones is a 45% to 50% cap. In terms of how close is too close, other cities range all the way down to 5 feet in Arizona and California. In Utah, Provo has an eight-foot setback and other cities have a 10-foot setback. Payson and other cities allow up to 15 feet from the rear property line. He hasn’t seen more than 14 feet for these types of projections. Even though Payson is on the more restrictive side, Payson is not unreasonably restrictive. Payson could go closer and still be within the norm. He asked what the commissioners would be comfortable with if public utility easements and the impervious lot coverage are still maintained. The fire chief and building official were okay with 5 feet from the property line because an accessory structure is allowed at 5 feet.

Commission Discussion:

Commissioner Warner questioned in this day of buried utilities, is there a crowding problem and is 5 feet enough for several utilities in the easement.

Daniel Jensen clarified that there is five feet on both sides of the property line for a total of 10 feet. Approvals should ensure subdivisions have sufficient public utility easements.

Commissioner Beecher stated whatever the public utility easement is, is the allowable distance from the property line. If it’s eight feet, then eight feet; if it’s five feet, then five feet. He is good if everything stays outside the public utility easement. With the impervious surface, the percentage can’t exceed the code as well.

Commissioner Morgan stated as lot sizes keep pushing smaller and smaller and these coverings extend out, five-foot and eight-foot easements from end to end are pretty narrow. He personally feels ten feet on the easement from the property line gives twenty-feet back to back on properties.

Daniel Jensen noted the height also impacts drainage as well as visual and shadow impacts. He sees twelve feet as the maximum height. A covering could go higher than twelve feet but not within the first ten to fifteen feet of the property line.

Commissioner Frisby stated accessory structures can be 17 to 18 feet in height and five feet from the property line.

Kim Holindrake mentioned residents may use shade curtains on these projections so it may not be open.

Daniel Jensen stated an accessory structure maximum height is eighteen feet. Also, an attached structure carries runoff from the entire house where an accessory structure only carries runoff from the building itself. Other cities have higher limits for accessory structure.

1. Adjournment

**MOTION: Commissioner Warner – To adjourn.** Motion seconded by Commissioner Marzan. Those voting yes Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

This meeting adjourned at 7:45 p.m.

Kevin Stinson, Administrative Assistant