



Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

****Notice of this meeting posted May 28, 2020 to <https://www.utah.gov/pmn/sitemap/notice/607873.html> and proposal to amend County Ordinance 19.05.010 notices mailed and published May 29, 2020****

MEETING MINUTE SUMMARY

SALT LAKE COUNTY PLANNING COMMISSION MEETING

Wednesday, June 10, 2020 8:30 a.m.

****Meeting minutes approved on July 15, 2020****

Approximate meeting length: 1 hour 12 minutes

Number of public in attendance: 0

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Collard

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Planning & Development Services.

ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
Neil Cohen	x	x	
Ronald Vance	x	x	
Mark Elieson	x	x	
Bryan O'Meara			x
Kim Barbushev (Vice Chair)	x	x	
Christopher Collard (Chair)	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Jake Young	x	x
Brian Hartsell	x	x
Jim McNulty	x	
Zach Shaw (DA)	x	x

BUSINESS MEETING

Meeting began at – 8:32 a.m.

- 1) Approval of Minutes from the May 13, 2020 meeting.

Motion: To approve minutes from the May 13, 2020 meeting as presented.

Motion by: Commissioner Elieson

2nd by: Commissioner Vance

Vote: Commissioners voted unanimous in favor (of Commissioners present)

Approval of Minutes from the May 27, 2020 meeting.

Motion: To approve minutes from the May 27, 2020 meeting as presented.

Motion by: Commissioner Elieson

2nd by: Commissioner Vance

Vote: Commissioners voted unanimous in favor (of Commissioners present)

- 2) Other Business Items (as needed)

No other business items to discuss.

PUBLIC HEARINGS

Hearings began at – 8:36 a.m.

The Salt Lake County Planning Commission will hold a public hearing to consider recommending a proposal to amend County Ordinance 19.05.010 which affects the Unincorporated Salt Lake County Planning Commission. The proposed change increases the number of Planning Commission Members from five to seven. The provision of two alternates remains the same. However, the required number of Unincorporated Members increases from three to four members. **Planner:** Jake Young

Salt Lake County District Attorney's Office, Counsel Zach Shaw introduced the change. Regional Development Planner Jake Young provided an analysis of the proposed ordinance amendment and additional training. County Council has given the approval to start this process. Mr. Shaw said reason for changes since the ordinance was modified is the Olympia Hills project and the West Bench general plan.

Commissioner Cohen asked who from unincorporated county is currently on the commission; three people must be from the unincorporated area. Mr. Shaw said Commissioner Cohen, Commissioner Vance, and Commissioner O'Meara. Commissioner Cohen asked if Commissioner O'Meara is in the Town of Brighton. Mr. Shaw confirmed he is, and County attempting to replace Commissioner Cohen and Commissioner Vance. Commissioner Cohen said always had a problem filling positions. Mr. Young said he has received some referrals, but no applicants, but has heard from city planners in the valley that people are interested. Mr. Shaw said staff recognized that the Olympia Hills project and West Bench general plan will spur interest to participate. Mr. Young said he has been speaking with cities with representation from the southwest. Commissioner Vance said they will not be members of unincorporated. Mr. Shaw said there can be three members from incorporated and two alternates from incorporated. Commissioner Barbushev asked about unincorporated areas bordering Herriman. Mr. Shaw said parts of Hi-Country are unincorporated. Mr. Young said additional unincorporated areas are in between West Jordan and west valley Oquirrh highlands, but some of that area could potentially be annexed. Commissioner Barbushev asked if either have a community council. Mr. Young said he is not sure but Hi-County HOA is highly involved. Mr. Hartsell named the unincorporated community councils. Commissioner Cohen said this is the planning commission for unincorporated, it's always been difficult to find people to serve especially for unincorporated and as it stands not in compliance with the current ordinance and would still have the same challenges in filling. Granite wanted everyone to be from unincorporated. Commissioner Barbushev asked what the quorum will change to. Mr. Shaw said from three to four and anticipates will not be difficult with big projects coming. Need four unincorporated, the two we have are on expired terms. Commissioner Cohen said if the proposed ordinance is enacted, when will it be effective. Mr. Shaw said 15 days after adoption, thereafter Commissioner Cohen and Commissioner Vance could continue to serve until replaced. Commissioner Collard asked any requirements for quorum, regardless of unincorporated or incorporated. Mr. Shaw said just total number of people, no requirements for unincorporated quorum. Commissioner Barbushev said technically out of compliance, how does that affect business conducted. Mr. Shaw said with the ordinance allowing Commissioner Vance and Commissioner Cohen to serve until replaced and allowance of incorporated members, fine to continue to do business and make decisions and will not impact decisions. Mr. Young will get Commissioner Barbushev an application since she has someone interested. Mr. Young said after today will get the word out and advertise. Commissioner Elieson mentioned he is an alternate. Mr. Young said that happened when Commissioner Collard became chair, county council made that effective just before that planning commission meeting. Commissioner Elieson said he will participate in every meeting regardless if he is an alternate or not. Commissioner Collard asked with the requirement of 4 unincorporated, would open seats be filled before Commissioner Cohen and Vance's replacements.

Mr. Shaw said correct unless Commissioner Cohen and Commissioner Vance are willing to resign sooner than later. Commissioner Vance said if we want to continue to serve, we couldn't. Mr. Shaw said that county ordinance allows him to serve until replaced. In response to Commissioner Collard's question about a shortage of commissioners caused by staggered terms, Mr. Shaw said that staggering terms should take care of the issue, and Jake Young said that life events usually address. Mr. Shaw said ordinance does not specify number of terms, only years in each term. Commissioner Barbushev said she believes the bylaws state that. Commissioner Cohen asked if that needs to be prescribed. Commissioner Barbushev asked if the bylaws specifies full term. Mr. Shaw said if it is not a full term could still serve two full terms. Commissioner Collard asked about recommendation from granite community council that applicants from unincorporated county would be given priority. Mr. Shaw said that would be typically covered by the bylaws, not ordinance (which is usually more general than bylaws). Commissioner Collard asked about priority status for unincorporated members. Mr. Young said he likes the intent of encouraging unincorporated membership. He explained that the process works with applications coming in and the mayor referring appointments to the county council. Mr. McNulty said the planning commission could make a recommendation to the council regarding the issue they are discussing. Commissioner Cohen said he supported favoring as many people as possible to serve that are residents of unincorporated areas. Commissioner Cohen said would put in a better position to comply. Mr. Shaw confirmed that the length of terms is not specified in the ordinance but is specified in the bylaws. Mr. Young said that bylaws could add some intent to have the highest number of unincorporated qualified candidates as possible. Mr. McNulty said Commission could consider a change of bylaws eliminating term limits. Mr. Shaw said Commission could provide a recommendation and address the issue today, recommend to County Council that the Council provide legislative intent and direction that is part of the adoption of this ordinance that the planning commission recommend revision to the bylaws addressing this issue. At that point Commission could put on agenda revision of bylaws, and Council would need to approve such revision to the bylaws. Commissioner Barbushev asked if bylaw revision direction must come from Council, or if Commission can just request on the agenda. Mr. Shaw said Commission could recommend revisions unilaterally and could certainly recommend revising the bylaws without direction from Council. Mr. McNulty said Commission could look at removing term limits in the ordinance and bylaws and likes the idea of flexibility and planning commission members that have knowledge. Mr. Young said maybe the language in bylaws could, instead of giving preference to candidates, have an intent to have as many qualified members in the unincorporated area as possible. Commissioner Barbushev said maybe say it is recommended a member serve two full terms. Commissioner Cohen said in effect you take out the term limit, unless they resign, serves until replaced by the mayor. Commissioner Cohen said likes the way the ordinance is written now. Commissioner Collard said agrees with Commissioner Cohen, can stay on until replaced and allows an exit plan.

Commissioner Cohen motioned to open the public hearing, Commissioner Barbushev seconded that motion.

PUBLIC PORTION OF HEARING OPENED

No one from the public was present to speak.

Commissioner Elieson motioned to close the public hearing, Commissioner Vance seconded that motion.

PUBLIC PORTION OF HEARING CLOSED

Commissioners, staff and counsel had a brief discussion regarding number of terms expired and staggering, language consistent with other seven member boards, flexibility for terms and commissioners serving longer, eliminating term limits in the bylaws, and incorporate in the motion of amending the bylaws. Mr. Shaw will send bylaws and terms.

Motion: To recommend a proposal to amend County Ordinance 19.05.010 to the County Council for approval, and the planning commission's intent to look into revising the ByLaws to encourage appointment of as many qualified planning commissioners from the unincorporated Salt Lake County area as possible.

Motion by: Commissioner Barbushev

2nd by: Commissioner Elieson

Vote: Commissioners voted unanimous in favor (of Commissioners present)

MEETING ADJOURNED

Time Adjourned – 9:44 a.m.