

June 4, 2020
Planning Commission Meeting
Virtual Meeting
7:00 p.m.

Commissioners Present: Chairman Michelle Drago, Vice Chairman Jan Kerr, Commissioner Tresa Peterson, Commissioner Marcus Wager and Commissioner Julie Jones

City Staff Present: Bob Barnhill: City Planner
Susan Obray: City Recorder
Christ Crockett: City Attorney (left meeting at 7:35)

Others Present: Rick Scadden, Bryan Loveless, Blake Hazen, and Eric Hazen

1. 7:00 p.m. - Call to Order and Opening Ceremonies

A. **Declare Conflict of Interest, if any-**
None

2. Action Items

A. Final Approval for Mount Pleasant Estates Phase 1. Location 2045 South 150 West, #03-159-0026.
Applicant: Bryan Loveless

Bob Barnhill reviewed the Final Approval for Mount Pleasant Estates Phase 1 with the Commission. He discussed the plans for the pre-existing home and the rest of the development. He stated the applicant has asked for a deferred agreement of the sidewalk for the existing home until phase 2 is recorded or when the City says it's time to put sidewalk in. He reviewed the comments from the City Engineer with the Commission. He reviewed the plans for the existing easement being kept open for fire safety reasons.

Bryan Loveless (applicant) reviewed with the Commission as a heads up some future plans for the development for the next phase of development (especially regarding the road for this area and an extension to the plat). Mr. Barnhill explained this information would not be part of tonight's action item.

The Commission and Staff discussed if the deferral agreement would be in the best interest of the City. The Commission agreed the deferral agreement would be appropriate for this application.

MOTION: Commissioner Peterson made a motion to recommend approval to the City Council of the Final Approval for Mount Pleasant Estates Phase 1 with the contingency of the deferral agreement regarding the sidewalk being addressed in Phase 2, as well as, the setbacks being taken care of on the plat. Commissioner Jones seconded the motion. Roll call vote.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Yes

Commissioner Peterson Yes
Commissioner Wager Yes

Motion Approved: 5 Yes 0 No

B. Final Approval for Perry Canyon Subdivision Phase 1- 1st Amendment. Applicant: Rick Scadden, Location: 143 West 1550 South, #03-159-0130

Mr. Barnhill reviewed the final approval for Perry Canyon Subdivision Phase 1- 1st Amendment with the Commission. He stated the applicant sent updated plans yesterday which have not been fully reviewed by himself or the City Engineer. He reviewed the City Engineer's comments from a month ago. He said overall he would like to have the updated plans be fully reviewed by himself and the City Engineer before approving the application but there are no major red flags so it could be passed onto the Council if the Commission feels it is appropriate.

The Commission and Staff discussed and clarified the preliminary application and the items which were supposed to be addressed from that approval.

The Commission and Staff discussed and clarified the ownership and upkeep of the detention pond being with the development (HOA) versus the City, but the City will maintain the piping.

The Commission and Staff discussed if it would appropriate to pass this item onto the City Council in its current state.

Rick Scadden (applicant) reviewed and clarified some of the updates from the new plans (recently submitted) with the Commission.

MOTION: Commissioner Wager made a motion to recommend approval to the City Council of the Final Approval for Perry Canyon Subdivision Phase 1- 1st Amendment with the contingency the detention basin be part of the rest of the common area, with an easement provided for the City, and all the comments addressed by staff will be completed before this item is placed on the City Council's agenda. Commissioner Kerr seconded the motion. Roll call vote.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Yes

Commissioner Peterson Yes
Commissioner Wager Yes

Motion Approved: 5 Yes 0 No

C. Plat Amendment for Davis Creek Estates. Location 2200 South Hwy 89. Applicant Blake Hazen.

Mr. Barnhill reviewed the plat amendment for Davis Creek Estates with the Commission. He stated this development was approved awhile ago but has not yet been developed. He stated there is an opportunity for development but the two roads in the area do not quite line up. He said UDOT has required either medians or realigning the access, so the roads align. He stated this proposed amendment realigns the access to align the roads and meet this requirement.

Mr. Barnhill reviewed the comments from the City Engineer regarding this application regarding leftover spaces from the realignment and having those be combined with the lots.

He said this application will have the Commission as the final Land Use authority so they may want to table it until all the Engineer's comments are addressed.

The Commission and Staff discussed and clarified the leftover spaces and the best options for combining them with other lots.

The Commission and Staff discussed and clarified the current split zoning of this property and how that would impact development.

Eric Hazen (applicant) addressed the realignment of the road and that they will work out how best to use the leftover spaces from the alignment. He noted that this subdivision was already recorded, and their hand is being forced to adjust things. He asked for approval based on them having these small parcels being taken care of.

Mr. Barnhill reviewed the process of deeding these parcels over to property owners so that they are taken care of.

The Commission and Staff further discussed and clarified the appropriate use of these parcels and if it would be appropriate to approve this item with the unassigned parcels.

MOTION: Commissioner Jones made a motion to table this item. Commissioner Kerr seconded the motion. Roll call vote.

DISCUSSION: Blake Hazen said that the property to the north belongs to the City and they need to do the negotiating with the neighboring property owners. He said they are under a timeline crunch and that the buyer is willing to work with the City as well. He expressed his frustration because the City allowed these developments to be approved without the roads being aligned and now, they are having to fix that mistake.

The Commission and Staff discussed the vacating of the City owned property to accommodate the road and that needing to be updated on the plat.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Abstain

Commissioner Peterson Yes
Commissioner Wager Abstain

Motion Approved: 3 Yes 2 No

3. Discussion Items

A. Discussion on Title 15 Land Use

Mr. Barnhill reviewed the assignments given to each Commissioner regarding updating Title 15.

Commissioner Kerr reviewed the things she has left to do before completing her assignment.

Commissioner Wager reviewed with the Commission and Staff his proposed Accessory Dwelling Unit ordinance which he has been working on.

The Commission and Staff discussed and clarified the updates especially regarding utility and impact fees, setbacks, what is and is not in the jurisdiction of the City to regulate (renting property, preventing Airbnb's, utilization of ADU's, etc.).

The Commission and Staff agreed that what Commissioner Wager has proposed is a great start and they would like to do more research and give feedback to Commissioner Wager, in hopes it would be ready to be listed as an action item at the next meeting.

Commissioner Peterson reviewed with the Commission and Staff her proposed Food Truck Ordinance which she has been working on. She asked the Commission for feedback regarding fees and if they want to simply use the State Code or add their own regulations on top of the State Code.

The Commission and Staff gave their feedback regarding the application process, utilization of the State Codes, and thoughts on added regulations.

Commissioner Jones reviewed with the Commission and Staff her proposed Urban Livestock Ordinance which she has been working on. She reviewed the proposed numbers for the allowable animals in these areas.

The Commission and Staff discussed and clarified the proposed Urban Livestock Ordinance, especially regarding the required lot size and adjusting the numbers based on lot size. They also discussed realistic code enforcement in the City and clarifying the allowable numbers of each type of animal.

4. Approval of the Minutes

A. May 7, 2020 Regular Meeting Minutes

The Commission reviewed their corrections of the minutes.

MOTION: Commissioner Kerr made a motion to approve the May 7, 2020 Regular Meeting Minutes subject to changes. Commissioner Peterson seconded the motion. Roll call vote.

Commissioner Kerr Yes

Commissioner Peterson Yes

Commissioner Jones Yes

Commissioner Wager Abstain

Commissioner Drago Abstain

Motion Approved: 5 Yes 0 No

6. Discussion

A. Future Projects

Mr. Barnhill stated City Council has requested an ordinance amendment regarding the IC Zone.

B. Report on past approved Planning Commission Agenda Items.

None.

C. Report from Commissioner regarding last Council Meeting

Vice Chairmen Kerr reviewed the City Council meeting she attended with the Commission.

Chairman Drago reviewed the City Council meeting she attended with the Commission.

D. Make Assignments for Representative to attend City Council Meetings. (June 11, 2020 and June 25, 2020, these will be Electronic Meetings).

Commissioner Peterson stated she would attend the June 11th meeting and Vice Chairmen Kerr stated she would attend the June 25th meeting.

7. Training

A. Staff- None.

8. Review Next Agenda and Adjourn

A. Items for next agenda (July 2, 2020)

- Action Item of Accessory Dwelling Unit Ordinance
- Discussion Item Food Truck Ordinance
- Action Item of Urban Livestock Ordinance
- Discussion Item of the rest of the Title 15 assignments
- Plat Amendment for Davis Creek Estates

B. Motion to Adjourn

Motion: Commissioner Wager moved to adjourn. All commissioners were in favor.