



MINUTES

Oakley City Planning Commission
Wednesday December 16, 2020
Electronic Meeting
Zoom Platform
7:00 pm

AGENDA

1. Call the meeting to order
2. Approval of meeting minutes for 12/2/2020
3. Discussion: land use and management code rewrite
4. Chairman/Planner Items
5. Adjourn

MINUTES

1. Call to order and roll call:
 - a) Planning Commission: Chairman Zane Woolstenhulme; Commission Members: Doug Evans, Cliff Goldthorpe, Richard Bliss, Jan Manning
 - b) City Staff: Stephanie Woolstenhulme, City Planner
 - c) Other: Larry Leifson
2. Approval of meeting minutes for 12/02/20 meeting:

Zane: Any concerns? Some spelling errors.
Cliff Goldthorpe makes motion to approve as written.
Richard Bliss seconds that motion.
All in favor.
3. Land Use Code

General discussion on land use and management code rewrite.
Zane-Still working from draft one?
Doug-Yes. Started with Eastern & added a few chapters from Western. Still need to change some code titles. Possibly addressed by Attorney?
Stephanie- Ag protection area is that something you have to apply for?
Doug-Yes in the County. My intent is everything in Oakley is Ag protection.

Stephanie-Update flood plain ordinance. As it is written, will it slide into this? Separate section?

Doug-We can do either. You should decide where you would rather do it.

Stephanie-It would just be a matter of sticking it in there.

Doug-We may have solved that requirement for you.

Cliff- Is Floodplain part of developers application when starting development?

Doug- Developer has to comply with any flood plain regulations.

Cliff- Addressed at that time?

Doug-For Oakley, Stephanie and City Engineer will review that. Projects address storm drainage and retention. Stephanie, Amy & Tristin, a lot of these permits we can charge for and cover our time. Cover City costs and not cost the city money. Work on fee ordinances. Get all County applications so it is common and easy to use. Water and wastewater could just say all projects need to comply with City. City needs to have a good water and waste water ordinance. Need to have a conversation with City Council about this. Water ordinance was put together.

Stephanie-I know they have seen it, but I don't know what the comments were on it.

Doug-Nice if it was tracked along with this. I want to know what the density, if soil is good, is there a minimum.

Zane- Can you ask Nate that question?

Stephanie- Yes I can. Will Weber Wild force this?

Zane- Only new development.

Stephanie- Higher density figure out how to get sewer there.

Doug- New development only with good soil.

Zane- Where is it that you specify all the plats need to include a right to farm provision? More descriptive?

Doug-13-1-2. Plat note

Zane-Fencing-My understanding, if I don't want livestock on my property, I need to put up a fence. Can we insist in section C that if someone puts in a new development and it is next door farming, you have to go in half on the fence. Developers have to enclose their own property. Maybe need to circle this section and have conversation with City Council.

Stephanie-Farmer's responsibility if fence gets ruined by cattle? Need to be specified in here?

Zane- Yes. Think it is good?

Cliff- Developer should bite the cost for all development costs including the fence.

Jan-I agree with that..

Zane-They should fence the development. Farmer not burdened. Think we need to re-word.

Doug-Made a note of that to fix. Farmer pay only for broken fence.

Cliff-What's acceptable in AG community? No vinyl fencing.

Stephanie-Wildlife and livestock?

Cliff- I think stick with AG livestock.

Zane- What are your thoughts Tom Smart or Larry Leifson? No comments.

Doug- As you guys read it, redline it or insert questions. I need you to tell me sections you are concerned about.

Cliff-I have talked to several of my neighbors, but I disagree with the river setbacks in an existing subdivision. New development it's fine.

Zane-Existing lot of record?

88 Cliff-Yes.
89 Doug-Point out that all these numbers are on all new subdivisions.
90 Zane-I agree, but even for existing ones, do we need language in a building permit to
91 beware of high water.
92 Cliff-I agree.
93 Doug-There are things you are still going to have to do to protect the river.
94 Cliff-Zero set back on the river. City Engineer should bring up that fact.
95 Doug-Larger lots in new subdivisions that border the river will not be that many. 100 ft is
96 not very far.
97 Richard-That is the standard for the County. Managed through FEMA.
98 Stephanie-This is all in our floodway for FEMA.
99 Doug-Heartburn with minimum lot width is 100 ft. Not sure what it means. Tying your
100 hands with conservation layouts. Not have magic numbers.
101 Zane-I agree not to have 100 ft rule. No minimum. Meet setbacks.
102 Doug-Rural areas panhandle lots. Governed more by meeting the road with requirements.
103 Efficient if done right.
104 Richard-It's almost like you are leaving yourself an out. City Planner & Engineer
105 Tom- Cul-de-sac 50 ft off an entry, diagonal quickly and still have all the setbacks.
106 Cliff-Narrow lot up front and leave back of lot open.
107 Doug-Not approve if it won't work.
108 Zane-Definition of what wetlands are?
109 Doug-Not a definition. Army Core of Engineers defined what a wetland is. Delineation
110 report from approved contractor. Maps are a guide, not 100%.
111 Stephanie-What triggers us to look into wetlands or not?
112 Doug-Any subdivision we will require wetland delineation report done.
113 Zane-If they keep putting irrigation canals in culverts, they won't always be wetlands.
114 Doug-You can fill in wetlands with a permit from the Core of Engineers. Pay a company
115 to replace that wetlands somewhere else. They are built over all the time. If your property
116 has wetlands, it's a key area to look at for open space.
117 Zane-13-3-1-I don't think we need to have 3 different residential zones. Do we need to
118 have different identifiers for every acreage size?
119 Doug-Question for Attorney. I think we have to identify what our zones are.
120 Zane-You have AG residential zone A5 to A100, if they want to do a development they
121 have to go through master plan process anyway. They know they could end up with AG
122 with 5 acre unit density.
123 Doug-You have to begin with a density. Zoning map, you have to have a base density in
124 the zoning map, not a variable thing.
125 Zane-I can live with that.
126 Richard-Ran into this problem before. Easier to deal with it on this end, so it doesn't
127 create controversy. You can defend it.
128 Doug-Define base density and then show how it got to a higher density.
129 Richard-Have to spell it out to eliminate trouble.
130 Tom-I think large parcels, even if we do this, we will be going through a joint agreement.
131 Looking at it same as Zane. Big parcels fit in one of those zones?
132 Stephanie-Don't change zoning; just give bonus density.

133 Doug-Use appendix B. Do it for anything. If they are providing river access to the public,
134 could be part of this formula and also public open space. Have a formula of how you do
135 it.
136 Zane-Looks good.
137 Cliff-It looks like it benefits Oakley City a lot more.
138 Doug-Never be another zone change after - this is my goal.
139 Zane-Clearly defined various zones. Do you feel like we have covered our bases? Be
140 thinking about that.
141 Stephanie-In the matrix, storage of commercial vehicles on property, it doesn't address a
142 few trailers. Not sure where we address that, but we need to.
143 Doug-Permitted use, an allowed use, a conditional use. Low impact permit that only
144 Stephanie can approve. If you think it is controversial, run it past the planning
145 commission. We don't need to approve every basement apartment in town. Insert in this
146 all CR zones, you can't have an accessory building apartment. It has to be in an existing
147 structure.
148 Zane-In the development agreement?
149 Doug-Yes.
150 Jan-Any recommendation on lot size for accessory dwelling?
151 Doug-It needs to be in here.
152 Stephanie-Specify that.
153 Tom- Questionable if you need to have a public hearing on an unattached accessory
154 dwelling.
155 Doug- Accessory is all low impact permits. Unless controversial.
156 Cliff- Traffic is an issue and might need to look at.
157 Doug- You can have AG employee dwelling unit if viable operation.
158 Zane-How are we dealing with non conforming uses as we deal with this? Wait until we
159 get a complaint?
160 Doug-If it's in the matrix, it's in. Defined under non conforming use in the new code.
161 They get to continue on.
162 Zane-Shut them down?
163 Doug-No. If they were going to tear it down and rebuild it, you need to comply with new
164 code. If it's a business they have to be in compliance with the code all the time. Allowed
165 and permitted uses, commissioners go through it and mark it up. Make it easier for
166 Stephanie. Also to be addressed in another part of the code. Pay particular attention to
167 chapter 4. We need to decide quickly what defines a minor subdivision. Over 4 lots,
168 Master Plan Development. City has to have a Board of Adjustment to adopt this code.
169 Zane-Does the City have a Board of Adjustment?
170 Tom-Yes. Don't know if it is active.
171 Doug-Needs to be an Active Board of Adjustments.
172 Zone-Homework go through chapter 4 & just understand chapter 5.
173 Stephanie-Rent deed restricted houses? I don't think that's right.
174 Zane-Depends on deed restriction
175 Doug-Possible but has to be written that way.
176 Zane-Air B & B's?
177 Doug-Chapter 8-Non conforming stuff. Home occupations, signs, accessory dwelling
178 units. Define better lot sizes. Who is the City building official?
179 Stephanie-Delray Hatch. Need to chat with him to see what version he is using.

Doug-Make sure City is up to date with Building Codes. Hazardous liquids and materials could come up again. Temporary homes, make sure they are permitted and collecting sales tax and room tax if the City has adopted that.

Tom-Need a lot stronger code to fight that. May want to talk to the City Attorney.

Doug-Needs to be regulated. City needs to make sure they are making money on it. City needs to know who the management company is in the event there is a problem.

Tom-Unenforceable according to the Attorney.

Doug-Code allows accessory apartments to help with affordable housing. If it turns into nightly rentals, that doesn't help us with our affordable housing goals. Declare if it will be used as a nightly rental. If it is, there are more steps they have to do.

Zane-How are we on our gant chart?

Stephanie-Close. Wanted to send to City Council the beginning of January.

Tom-City council doesn't meet until the 16th of January.

Zane-We can't meet again until the 6th of January. Extend moratorium if need to.

Stephanie-I don't think we can.

Zane-We just said we can't deal with what you want to do until we have this done. Not an official extension. Reality is deadline is January 23rd. Take the time to finish going through it. Maybe when we meet on the 6th of January, we can make recommendations. Most likely want to tweak it.

Doug-If you will get me comments, I will put a lot of time the first week in January.

Might have more benefits waiting for the new code.

Zane-Target date the 20th of January. Public hearing on the 20th recommend it to the City Council.

Doug-Hearings in February. If the City Council can read through the General Plan and give us comments.

Tom-Addressing that first meeting in January.

4. Chairman/Planner Items

Stephanie-Verify 1st Wednesday of every month works for everyone.

Yes.

Zane-Public notice meeting every other week for January & February.

5. Adjourn

Zane-I officially delcare this meeting adjourned.

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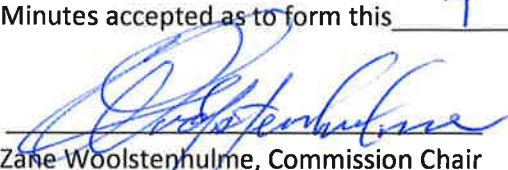
Minutes accepted as to form this 7 day Jan of ²⁰²¹2020.

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Zane Woolstenhulme, Commission Chair

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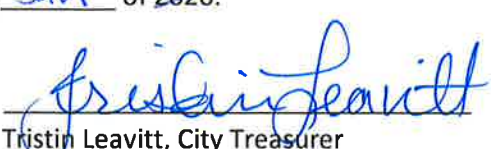
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Tristin Leavitt, City Treasurer