

Mendon City

Meeting Minutes

Planning & Zoning Commission

Date: 2/10/2021

Mendon City Building

15 N Main St

www.mendoncity.org

☒ Live Meeting

☐ Virtual / Zoom Meeting

PZB Attendance (X): Double click the mouse and select the (checked) box under the default value to mark the (X)

- ☒ PZ - Phil Zobell - Chair
- ☒ PZ - Jake Anderson - Vice Chair
- ☒ JH - Jeri Hansen - Commissioner
- ☒ KS - Karen Shelton - Commissioner
- ☒ KL - Keilani Ludlow - Commissioner
- ☒ BF - Bret Fannesbeck - Commissioner
- ☒ BT - Brenda Tullis - Commissioner
- ☒ BN - Burke Nielson Nielsen - Commissioner
- ☒ GT - Gail Taylor - Secretary

Public, Officials, City Council

Due to the speed and number of members in attendance, individual Initials will be used throughout this document. Please refer to this section as needed.

Public Attendance

City Council

Reference (X):

1. Logan Brown

- Ed Buist – Mayor – EB ☐
- Kirk Taylor – Public Works – KT ☐
- Paul Taylor – Building Inspector- PT ☐
- Paul Cressall – Recorder – PC ☐
- Jon Hardman – City Council / Water / PZB Liaison – JH ☐
- Bob Jepson – City Council – BJ ☐
- Eric Dursteler – City Engineer – ED ☐
- Daphne Carlson – Treasurer – DC ☐
- Traci Hillyard – City Clerk – TH ☐
- Ron Campbell - CC / PZB Liaison – RC ☒
- Ian Nemelka - PZB Liaison - IN ☒

Administrative Business

Open Time: 6:09 pm Admin Meeting Opens

Dialogue as follows:

Phil Zobell asked if everyone had a chance to review the Short Term and Long-Term Rentals. All agree that they did. Jeri Hansen acknowledges that only Short-term rentals will be reviewed tonight. Phil confirms that everyone has read the proposals and notes. A couple corrections and clarifications occur.

Banter and overtalking.

Karen Shelton has entered.

Phil Zobell ends discussion on Short Term Rentals and then asks Jeri Hansen if she will have Long Term Rentals ready for next month.

Jake clarifies the purpose of the checklists. Commissioners discuss the checklists more.

They discuss quantity and number of permits allowed under the SRT.

They discuss the \$ amount of fees and fee structure and number of inspections that will be covered by the fee.

Burke suggests that you allow 1 second inspection and that be included in the price of the first initial fee.

There is lengthy discussion about the number and frequency of inspections and the purpose of the inspection. Opinions are varied and diverse.

Phil desires to get something in front of City Council for approval. He asks if there is anything else on Short Term Rentals? No.

Jeri will work on the Long-Term Rentals.

Ian and Ron discuss when the proposal could come before City Council? March. Phil would like for both LTR and STR to be presented at the same time.

Ron asks a Q: Was there an issue driving the push for Long Term Rentals? Phil Zobell: A: Complaints to Parking. It is hard to differentiate between Long-term and Short-term rentals because they are both rentals.

Jake seeks clarity if the inspection is designed to be code compliant or safety compliant? He thinks the inspection should manifest what the applicant(s) put on the paper and it substantiates the code.

Keilani Ludlow feels like ST and LT rentals are very different things and thinks that they should be explored at different standards. She sees ST as Commercial and LT as Residential. She worries about

pricing out some of the lower income rentals. Keilani wonders what the liability is to make a home current safe for rental or reasonably safe.

Jake Anderson thinks that if you own a business, even a rental business, owners should still be compliant to meet current housing standards. He thinks the business side of things should apply. There is a liability that comes with running a business. If the city allows a business to operate in an unsafe environment, Is the City liable? Regular businesses must meet code compliance and use, so should a house that is being rented. It is still a business. Keilani thinks renting a room or multiple rooms is not a rental business. She and Jake gently disagree with perspectives. Egress conversation about code ensues. Opinions about safety and the question of liability continue. Banter and perspectives are diverse. Discussions about buildings meeting current code or code at the time ensue.

Gail needs to be an octopus to keep following multiple banter conversations. EEK. So many tentacles, not enough typing skills.

Karen Shelton worries that setting too many restrictions on a city level could open the city up for liability. She thinks the liability belongs with the renter and rentee. Keilani sees a short-term rental as Commercial, AirBnB, Hotel etc., You would not necessarily inspect prior to staying. If you leased a house for a year, you would definitely do a full walk through and inspection.

Opinions about personal property rights and liability arise. Egress makes more sense.

Conversation changes to what the building inspector would look at and inspect. Bret discusses personal property rights again.

The Commission determines that they like the word "MAY" inspect.

How many permits will be allowed? They thought 12.

Past problems include light noise, sound noise, parking, and nonconforming use properties: i.e., Cindy Lake property.

Jovial banter.

Phil expresses concerns about people renting treehouses. Jake has concerns over safety therein. Short-term rentals.

Karen thinks lessors and lessees have an obligation to protect themselves.

Commissioners want the applications to be easy or people will not do it.

CU permits will be 30. These will be divided and then subdivided. Commissioners banter about that.

Phil Zobell calls for a Vote on how many permits. 15 wins the vote on a First Come First Serve basis. It should post with CC and require a Public hearing. P&Z will simply make a recommendation to City Council. The City Clerk will handle the mailings, postings etc. Social Media will do the rest.

More banter about rentals.

Phil Zobell asked Bret Fannesbeck about the Landscaping Ordinance. In his research, a lot of communities are requiring the landscape because they have a zero setback. More research will be done. They discuss curb and gutter. Commercial and Residential requirements will be explored further.

Burke Nielson: If it is a PUD, it is different. Where Mendon does not deal with HOA and PUD, he thinks there is not an issue. Q: Where do we draw the line for how large developments and design requirements go? The city should look at Commercial Landscaping requirements.

Bret thinks there should also be a City Tree Plan. Developers should show all their plans up front.

Points of clarity need to come with permits and plans.

Discussion ensues on the use and need of backflow valves.

Phil asks if these things should go on the checklists? Commercial and Residential. They agree that all plans need to be shown how they will be incorporated and then have all plans approved prior to work beginning.

Karen thinks Landscape expectations should be defined clearly.

Landscape expectations were defined in the Private Road Ordinance.

Phil asks Jake Anderson for his report: Lot Splits. He has more research to do and is not quite ready.

Keilani Ludlow: Business License Checklists. She went through the code and tried to group questions into Level I or Level II. Everyone needs to read the code and review her emailed proposal. It was sent at 5:30pm tonight. Commissioners have not had opportunity to read the email. They will review, comment, and discuss it in the March meeting. Keilani would like for everyone to review and offer feedback. She thinks Mendon will also need an Industrial/Commercial Application. Bret asked to clarify if Mendon has an Industrial Zone? A: Yes, but Annexation will need to occur.

Phil Zobell and Gail met last week and reviewed checklists. He feels like the Residential checklist is a priority.

Phil Zobell gives updates on the Design Consultation meetings this week with Tim Watkins (revisiting the project and will have another Design Consultation) and Logan Brown (approved tonight). After the meeting with Tim Watkins, he will break the project up into phases, design the proposals to fit within our existing codes and evaluate the parking situation. He will also visit the lot size. He will also try to address the septic issues on the Butler property and the existing Cottage/Watkins Primary Residence.

Motion to Adjourn: Jake Anderson, Keilani Ludlow

Time: 7:24pm

Public Business – Attendance

Open time: 6:04 pm

Pledge of Allegiance: Bret Fonnesebeck

Prayer: Burke Nielson

Previous Minutes presented: January 13, 2021 and January 27, 2021

Phil Zobell asked if everyone had read them and if there were any additions, deletions, or alterations?

Answer: ☐ Yes ☒ No

☐ Changes:

Motion to approve: : Keilani Ludlow.

Second: Burke Nielson

Unanimous approval.

Logan Brown - Wants a detached garage at his home. At the Design Consultation with Phil Zobell, he has been asked to move it 5 feet back from the house to meet the setback requirement. He agreed to do that. Logan states the design is simple and clean and having a garage would clean up the property.

Phil Zobell asked if the board had a chance to review documents. All agree. Phil asks if there is a motion?

Motion to approve project: Bret Fonnesebeck, Burke Nielson, Unanimous, Approved.

This concluded the Public meeting.

6:08 pm Public meeting Adjourned, and Administrative meeting begins.

Add to Next Month's Agenda

Request Administrative: None

Request Public: None