



PLEASANT GROVE CITY
PLANNING COMMISSION MEETING MINUTES
POLICE AND COURT BUILDING
108 SOUTH 100 EAST
February 11, 2021

PRESENT: Chair Todd Fugal, Commissioners, Lisa Coombs, Jeffrey Butler, Tim Clyde, Jim Martineau, Dustin Phillips, Peter Steele

EXCUSED: Bobbie Jo Blake

STAFF: Daniel Cardenas, Community Development Director; Rylee Hall, City Planner; Kara Kresser, Planning Assistant; Lauren Drubay, Planning Tech; Aaron Wilson, City Engineer

Chair Fugal called the meeting to order at 7:00 p.m.

Commission Business:

1. **Pledge of Allegiance and Opening Remarks:** Commissioner Clyde led the Pledge of Allegiance. Commissioner Steele gave the opening remarks.

2. **Agenda Approval:** Agenda item number 2 was continued to the February 25, 2021, meeting and agenda item number 3 was continued indefinitely.

- **MOTION:** Commissioner Coombs moved to APPROVE the agenda with the changes to agenda item numbers 2 and 3. Commissioner Butler seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

3. **Staff Reports:**

- **MOTION:** Commissioner Phillips moved to APPROVE the Staff Reports as part of the public record. Commissioner Butler seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

4. **Declaration of Conflicts and Abstentions from Commission Members.**

1 There were no conflicts of interest.

2
3 **ITEM 1 – Public Hearing – Preliminary Subdivision Plat – Located at Approximately 100 South**
4 **850 East (Scratch Gravel Neighborhood). Public Hearing to Consider the Request of Russ Bezzant**
5 **for a Three-Lot Preliminary Subdivision Plat, Called Hammond Plat ‘A’ on Property located at**
6 **Approximately 100 South 850 East in the R1-10 (Single-Family Residential) Zone.**

7
8 City Planner, Rylee Hall presented the staff report and stated that the request is for a three-lot
9 preliminary subdivision called Hammond Plat ‘A’ located at approximately 100 South 850 East in
10 the R1-10 Single-Family Zone. The proposed subdivision includes a total area of 1.5 acres and all
11 lots were found to meet the minimum requirement for the R1-10 zone. The plat was displayed.
12 Ms. Hall indicated that the cul-de-sac extends out further and there were originally four lots
13 proposed rather than three. Staff did not anticipate any negative effects from the proposed vicinity
14 plan and recommended approval of both the plat and the vicinity plan.

15
16 It was noted that the applicants intend to shorten the cul-de-sac. The purpose of the trail and the
17 potential impacts of the shortening on the trail were discussed. Commissioner Steele
18 recommended there be an allowance for the trail. The intent of the original plat was to include the
19 trail. If the change is not made to the plat the trail will go nowhere and no longer connect to the
20 cul-de-sac. It was noted that the cul-de-sac and is now part of Lot 3.

21
22 Chair Fugal opened the public hearing. There were no public comments. The public hearing was
23 closed. The Chair closed the public hearing and invited the Commission to either continue the
24 discussion regarding this item or he would entertain a motion if no further discussion was
25 necessary.

26
27 **MOTION:** Commissioner Steele moved to forward a positive recommendation of approval for
28 the request of Russ Bezzant for a Preliminary Subdivision Plat called Hammond Plat ‘A’ for
29 property located at approximately 100 South 850 East in the R1-10 Single-Family Residential
30 Zone adopting the exhibits, conditions, and findings of the staff report, and as modified by the
31 conditions below:

- 32
33 1. Street improvements will be required with future development of the property.
34
35 2. The plat should show an 8 ft trail pedestrian easement accessing Anderson Park and
36 950 E, from the northern side of proposed Lot 3.
37
38 3. All Final Plat, Engineering, and Fire Department requirements are met.

39
40 Commissioner Coombs seconded the motion. The Commissioners unanimously voted “Aye”. The
41 motion carried.
42

1 **ITEM 2** – Public Hearing – Vicinity Plan Amendment – Located at Approximately 1445 North
2 600 West (North Field Neighborhood). Public Hearing to Consider the Request of Artisan
3 Construction, LLC to Amend the Vicinity Plan for Future Local Roads Near 600 West (Existing)
4 and Future 1500 North and 750 West, Near Property located at Approximately 1445 North 600
5 West in the R-R (Rural Residential) Zone. ****Continued to February 25, 2021****

6
7 **ITEM 3** – Public Hearing – City Code Text Amendment – Section 10-6-2: Definitions; Boarding
8 and Rooming House (City Wide). Public Hearing to Consider Amendments to City Code Section
9 10-6-2: Definitions; Boarding and Rooming House, to Remove Certain Language and Further
10 Define Meaning of ‘Boarding and Rooming House’. ****Continued from January 28, 2021****

11
12 The above matter was continued indefinitely.

13
14 **ITEM 4** – Public Hearing: City Code Text Amendment – Section 10-15-47C: Accessory
15 Apartments, Owner Occupied, to Further Define the Term ‘Owner Occupied’ for Accessory
16 Apartments and Tiny Homes. ****Continued from January 28, 2021****

17
18 Community Development Director, Daniel Cardenas commented that he takes pride in the existing
19 Code pertaining to accessory apartments in the City. He reported that Pleasant Grove was one of
20 the first cities in the State of Utah to allow accessory apartments. The ordinance allows for
21 accessory apartments but there are certain rules. Neighbors are always concerned about the
22 potential impact of accessory apartments. As a result, several rules were applied when the
23 ordinance was adopted. Mr. Cardenas pointed out that tiny homes are part of an appendix of
24 accessory apartments. Tiny homes are not allowed to be on a lot by themselves. People also
25 register their accessory apartment with the City are required to ensure that they meet all of the
26 requirements.

27
28 Mr. Cardenas explained that there have been issues with regard to the meaning of “owner-
29 occupied”. The Code specifies that no accessory apartment shall be created, established, or
30 occupied in a single-family dwelling unless the owner of the property occupies either a portion of
31 the main dwelling or a detached accessory unit. The City Attorney recommended that a change
32 be made to define “owner-occupied” as full-time residency within the home by the property owner
33 as shown on the tax assessment. The City Attorney referenced the ordinance from Provo and
34 Orem and tailored it to meet the needs of Pleasant Grove. What is proposed is very specific and
35 thorough and expands the definition of “owner occupancy”.

36
37 The proposed change would specify that an individual must own at least 50% of the dwelling to
38 qualify. If the property is owned by a corporation, at least one of the owners must own at least
39 50% of the home. Specific exceptions were allowed to address those serving service missions and
40 those who work away. Mr. Cardenas stated that the proposed language leaves no room for
41 ambiguity. Staff recommended approval.

1 Chair Fugal recommended grammatical changes. Questions were raised regarding 6(f) and
2 specific situations where someone would technically qualify but the City would find that they are
3 not owner-occupied. It was suggested that 6(f) be eliminated to avoid opening the City up to more
4 scrutiny than necessary.

5
6 Chair Fugal next addressed item numbers 9 and 9(c) regarding documentation. He questioned
7 whether there was a better way to include discussion regarding the documentation needed to prove
8 that someone is the owner-occupant without providing all of the items listed.

9
10 A question was raised with regard to enforcement involving someone who meets the criteria
11 allowing them to rent out both the main and accessory dwellings for three years. Mr. Cardenas
12 suggested that they either eliminate the categories allowing for special circumstances or require
13 specific documentation to be submitted. Possible solutions were offered such as requiring the
14 submittal of a City approval form to allow for a three-year period. Potentially problematic
15 ownership issues were identified as well as actual scenarios.

16
17 Mr. Cardenas explained that the City Attorney drafted the proposed language based on scenarios
18 where there could be abuse. He stated that it is difficult for staff to enforce many situations.

19
20 Chair Fugal opened the public hearing. There were no public comments. The Chair closed the
21 public hearing and invited the Commission to either continue the discussion regarding this item or
22 he would entertain a motion if no further discussion was necessary.

23
24 **MOTION:** Commissioner Steele moved that the Planning Commission continue the request of
25 Pleasant Grove City for the proposed amendments to City Code Section 10-15-47C: Accessory
26 Apartments, Owner Occupied, by modifying the definition for “owner occupancy” for the
27 establishment of accessory apartments in the single-family dwelling zones until February 25, 2021,
28 so that staff has time to revisit the comments made by the Planning Commission with the City
29 Attorney and provide a final draft of the language. Commissioner Coombs seconded the motion.
30 The Commissioners unanimously voted “Aye”. The motion carried.

31
32 **ITEM 5 – Elect a Chair and Vice-Chair for 2021-2022.**

33
34 Mr. Cardenas opened up the voting and distributed ballots. He stated that in the past, three
35 individuals have been nominated and then voted on. Bobbi Jo Blake, and Peter Steele were
36 nominated to serve as Chair.

37
38 **MOTION:** Commissioner Phillips moved to close the nominations. Commissioner Butler
39 seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

40
41 As a result of the vote, Bobbi Jo Blake was elected to serve as Chair. She would assume this role
42 at the next Planning Commission Meeting.

1 Tim Clyde and Peter Steele were nominated as Vice-Chair.

2
3 **MOTION:** Commissioner Butler moved to close the nominations. Commissioner Coombs
4 seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

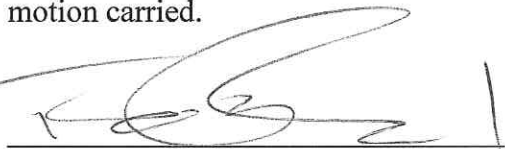
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6 As a result of the vote, Peter Steele was elected to serve as Vice-Chair.

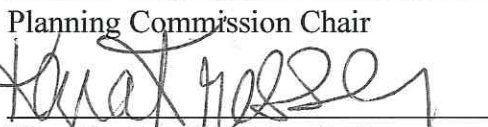
7
8 **ITEM 6 – Review and Approve the Minutes from January 28, 2021, Planning Commission**
9 **Meeting.**

10
11 The minutes were reviewed and corrected.

12
13 **MOTION:** Commissioner Phillips moved to approve the minutes of January 28, 2021, as
14 corrected. Commissioner Butler seconded the motion. The Commissioners unanimously voted
15 "Aye". The motion carried.

16
17 **MOTION:** Commissioner Clyde moved to adjourn the meeting at approximately 8:00 p.m.
18 Commissioner Steele seconded the motion. The Commissioners unanimously voted "Aye". The
19 motion carried.

20
21 
22 _____
23 Planning Commission Chair

24 
25 _____
26 Kara Kresser, Planning Tech

27
28 
29 _____
Date Approved