

MINUTES
PLANNING COMMISSION
EPHRAIM CITY HALL
5 SOUTH MAIN, EPHRAIM, UTAH
AUGUST 14, 2019
6:00 PM

Board Members Present: Chair Lisa Murray, Larry Griffeth, Craig Rasmussen, Stephen Cornelsen, Dennis Nordfelt, Alma Lund, Jan Jonson.

Board Members Excused: Darren Glather

Staff Present: Community Development Director/City Engineer Bryan Kimball, City Planner Devan Fowles

Others Appearing: Antonio Jimenez, Amy Hansen, Edward Brocco, Doran Gillie, Gail Gillie, Kevin Christensen, Steve Sanders, Austin Sanders, Bonnie Nielson, Richard Nielson, Todd Alder, Richelle Kimball, Robert Nielson.

CALL TO ORDER

The Ephraim Planning Commission convened on Wednesday, August 14, 2019, in the Ephraim City Hall Board Room. Planning Commission Chair Lisa Murray called the meeting to order at 6:08 p.m.

I. AGENDA

A. APPROVAL OF MINUTES

The Board reviewed the minutes of the June 26, 2019 Planning Commission Meeting.

Stephen Cornelsen expresses that there are 2 minor changes to the June 26, 2019 minutes.

1. Cornelsen in the minutes of that meeting is spelled as Cornelson instead of Cornelsen.
2. The last page of the minutes and the second to last page need to be switched for that meeting.

Board Member Craig Rasmussen moved to approve the June 26, 2019 Planning Commission Minutes as presented. The motion was seconded by Board Member Alma Lund. The motion carried.

II. BUSINESS

A. PROPOSED AMENDMENT TO THE GENERAL PLAN LAND USE MAP FROM MDR MEDIUM DENSITY RESIDENTIAL TO C COMMERCIAL.

The Community Development Director, Bryan Kimball, explains that the property is currently Medium Density Residential and is being proposed to be changed to Commercial. Bonnie and Richard Nielson want to add a proposed residential multifamily development and by extending Commercial over this property, it will allow them to do so.

Doran Gillie asks why they don't change it to High Density Residential (R4) instead. Planning commission members responded that by making it R4 it wouldn't be similar to any of the adjacent zones and could be considered "spot zoning." Because the Commercial zone is feasible for the Nielson's desired project and the property is adjoining the Commercial zone, the Nielson's decided to apply to extend the Commercial zone over their property rather than create a spot zone.

Steve Saunders asks if it is possible for his property to be included in the extension of this zone across his property as well. His property is adjoining to the Nielson's property. Bryan Kimball responds by saying that there is a notification requirement for an amendment to the General Plan and rezone application and in order to expand the zone over additional properties, a separate application would have to be submitted so that all General Plan amendments and rezone requirements are met. Planning commission members ask the Nielson's how soon they would like to begin construction on the property. Bonnie Nielson responds saying that they would like to start construction this fall.

Edward Brocco states that he would rather have it be zoned R4 rather than Commercial 1. The planning commission states that the City has to make changes that are in the best interest of the City and what an approval of this rezone could create in the future at that location.

Doren Dilly is an adjacent property owner and states that he would rather have it zoned for Residential than Commercial.

The planning commission ask if the Nielson's would have to start the process over if they decided to change the zone to R4 instead of Commercial.

Bryan Kimball responds that he would need to look further into the legality of amending the application.

Robert Neilson states that an island is the beginning of a zone which could grow to something bigger in the future.

The planning commission reiterate that they have to decide what is in the best interest of the city at that location in order to allow either a zone to be extended in that direction or an island to be created.

Edward Brocco states that he'd like to create something that will be beneficial for his family, not just for himself.

Bonnie Nielson states that what is proposed to be built at that location might outlast the living period of Edward Brocco's kids as well.

The planning commission explain that if someone were to purchase the property from the Nielson's, or if the Nielson's chose to change the use from what is being proposed after the zone change is approved, they could replace a use that is there with any use that is allowed in the approved zone.

Board Member Alma Lund moved to close the public hearing. The motion was seconded by Board Member Craig Rasmussen. The motion carried.

B. PROPOSED AMENDMENT TO THE GENERAL PLAN LAND USE MAP FROM LDR LOW DENSITY RESIDENTIAL TO HDR HIGH DENSITY RESIDENTIAL.

Bryan Kimball explains that the applicant is proposing residential use at this location. There has been a lot of interest in high density housing in relation to the college and also to accommodate multi-family housing at this location. There are no official set plans as of right now by the applicant. The first step is to see what zoning is possible and then plan accordingly.

Bonnie Nielson asks if this application would be considered a spot zone. Bryan Kimball explains that it could be considered spot zoning because it is not adjoining the High-Density zone.

Amy Hansen asks for clarification about the zoning. She states that there is a discrepancy in the zoning because Jim Boud believes that his property is all zoned High Density Residential. Bryan Kimball explains that in conversations with Jim Boud in the past, Jim Boud understood that the zoning was R1 for that portion of Jim's property. Todd Alder explains that it was his and Amy's understanding that Jim left about 100 feet off of 600 East as residential housing. Bryan Kimball states that further research and review will need to take place to verify the location of the zones. The planning commission states that if the map is correct, then Jim Boud could apply for a rezone in a separate application.

Kevin Christensen states that Snow College is projected to grow significantly but it won't happen if there isn't more housing. He states that most of the area that is zoned for High Density has already been built on and for a developer to come in and buy four or five houses to knock down in order to build an apartment complex is not economical. Where this is vacant land, close to the College, Kevin supports the proposal of creating more High-Density Residential housing. He owns adjoining property to this property and would like his property to be zoned High Density Residential as well. Planning commission members say that the road is not wide enough but as each parcel develops, the road would have to be widened.

Rob Neilson states that the Planning Commission should look at the area as a whole and make a decision based on whether or not changing that area to High-Density Residential would be in the best interest of the City.

Bryan Kimball says that the future map was addressed in 2004 and adopted. It is a living document and can be changed if the City sees the need. There have been plans made to update the General Plan and this may be addressed in that process. There have been some updates and adjustments along the way but it is time to update the whole document. The High Density was centered around the college and the Density steps down as it gets further away from the College.

Board Member Dennis Nordfelt moved to close the public hearing. The motion was seconded by Board Member Craig Rasmussen. The motion carried.

C. PROPOSED REZONE AT APPROXIMATELY 75 WEST 300 NORTH FROM R2 MEDIUM DENSITY RESIDENTIAL TO C1 MIXED USE COMMERCIAL.

Board Member Stephen Cornelsen moved to close the public hearing. The motion was seconded by Board Member Alma Lund. The motion carried.

D. PROPOSED REZONE AT APPROXIMATELY 592 EAST 100 SOUTH FROM R1 SINGLE FAMILY RESIDENTIAL TO R4 HIGH DENSITY RESIDENTIAL.

Board Member Stephen Cornelsen moved to close the public hearing. The motion was seconded by Board Member Craig Rasmussen. The motion carried.

E. PROPOSED AMENDMENT TO THE SIGN ORDINANCE OF THE EPHRAIM CITY LAND USE CODE, AS RELATING TO THE PLACEMENT OF SIGNS ON CITY PROPERTY.

Bryan Kimball gives a background of the proposed ordinance amendment stating that its primary purpose is to make sure we have a policy in place for what banners are allowed to be placed on the cities light poles. The proposed change is as follows:

Chapter 10-3-5 (F) Banners, Flags, or Decorations on city poles: *Only banners, flags, or decorations owned by the city and approved by city council will be allowed on city poles, except poles immediately adjoining Snow College campus whereon Snow College may place college-owned banners, flags, or decorations approved by city council.*

Bryan Kimball states that the city does want Snow College and the City to be able to post banners if they so choose but the City does not want just anybody posting banners on City property. Planning commissioner Craig Rasmussen asks if a Lions Club could get permission from the City to put up welcome banners if they were hosting a State Convention.

Bryan Kimball responds by reiterating what the proposed changes to the ordinance says, which does give someone that ability but the banner would have to be owned by the City and approved by the city council.

Kevin Christensen asks if the city manager could give the approval. Bryan Kimball responds saying that by having more voices with the elected officials making the decision, it may mitigate some of the controversial responses as opposed to having just one person, who is not elected, make the decision.

Rob Nielson asks if there are any guidelines that the public can review so they know what will and will not be approved? Bryan responds saying that there are no guidelines included at this point.

Craig Rasmussen asks what the purpose of the individual or organization giving the banner to the City is?

Bryan responds that the purpose is to have some kind of control over what is posted on city property. The thinking was that it's better to be suited for an official purpose rather than accommodate every single group on every City property.

Craig Rasmussen expresses concerns about having to be required to give the sign to the City especially after an organization donates a significant amount of money to the City. Richelle Kimball states that it makes sense that if the City owns it, they have that ability to control what and how long it is posted on the City's property.

The planning commission asks if it is redundant to have the City both own and approve the sign?

Bryan responds saying that if the City owns it, they can control it. If the sign only has to be approved by city council and not owned by the City, they then have to approve everyone who applies as long as they meet the Conditional Use requirements regardless of whether they want to approve it or not.

Bryan states we have a sign ordinance that is 6 pages long and this is just 1 section out of that 6 pages.

Edward Brocco asks if this ordinance excludes garage sale signs?

Bryan Kimball states that officially, garage sale signs on City poles are prohibited.

Board Member Dennis Nordfelt moved to close the public hearing. The motion was seconded by Board Member Larry Griffeth. The motion carried.

The Board decided not to vote on the requested General Plan amendments or rezone requests at this time, but to consider them again at the next meeting.

F. THE BOARD DISCUSSES AND VOTES ON THE PROPOSED AMENDMENT TO THE SIGN ORDINANCE OF THE EPHRAIM CITY LAND USE CODE, AS RELATING TO THE PLACEMENT OF SIGNS ON CITY PROPERTY.

Craig Rasmussen proposes an amendment to the ordinance to read "or" instead of "and."

Dennis Nordfelt likes that we can control signs on the City poles.

Craig Rasmussen doesn't like the requirement of the signs having to be owned by the City.

Bryan states that the original intent was that anything that goes on the City poles should be owned and approved by the City so that the City could control what is posted on City poles.

The planning commission proposes that the amendment to the proposed ordinance read:

F. Banners, Flags and Decorations on city poles: Only banners, flags and decorations owned by the city or approved by the city council will be allowed on city poles except poles immediately adjoining Snow College campus whereon Snow College may place college owned banners, flags, and decorations approved by city council.

Bryan asks the planning commission about pole to pole banners and if they would be included in this ordinance? The planning commission respond saying that the word poles is plural and includes pole to pole banners.

Board Member Stephen Cornelsen moved that the planning commission recommend approval the proposed ordinance change as read previously. The motion was seconded by Board Member Dennis Nordfelt. The motion carried.

ADJOURNMENT

There being no further business to come before the Planning Commission for consideration, Board Member Alma Lund moved the Regular Planning Commission Meeting adjourn at 7:29 p.m. The motion was seconded by Board Member Stephen Cornelsen. The motion carried.

The next regular Planning Commission meeting is scheduled to be held on Wednesday August 28, 2019, starting at 6:00 p.m. in the Ephraim City board room.

MINUTES APPROVED:

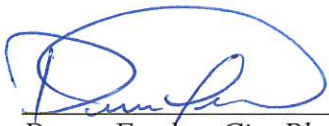


Lisa Murray, Chair

6/23/21

Date

ATTEST:



Devan Fowles, City Planner

6/23/2021

Date