



PLANNING & ZONING COMMISSION
Public Meeting of Wednesday, July 14, 2021
Mendon City Hall, 15 North Main Street, Mendon, UT 84325

MINUTES

Commission members present: Jeri Hansen, Keilani Ludlow, Bret Fannesbeck, Burke Nielsen, Jake Anderson, Brenda Tullis, Karen Shelton

City Council members present: Ian Nemelka, Ron Campbell
Also present from Mendon City: Paul Taylor (Building Inspector), Ed Buist (Mayor)

Public members present: Angie Sanford & Husband, Nikki Oswald, Kyle Frandsen, Stephanie Watkins, Jocilyn Bennett

Presiding: Jake Anderson, Vice Chair; then Jeri Hansen, newly elected Chair

Minutes prepared by Ron Campbell

6:05pm: Anderson, as standing Vice Chair, called to order the meeting.

Pledge of allegiance: Ludlow

Invocation: Nielsen

Welcome: Anderson

Adoption of agenda: It was noted that the agenda was posted with appropriate “before meeting” notice according to Utah State guidelines.

Review & approval of minutes: Vice Chair Anderson presented minutes from the June 9 and 23, 2021 Planning & Zoning meetings for approval. No corrections noted.

Motion: Nielsen moved to approve June 9 and 23, 2021 minutes.

Second: Fannesbeck

Motion passed unanimously

Elections: Vice Chair Anderson expressed a “thank you” for the service of Phil Zobel and Gail Taylor, recently resigned P&Z Chair and Secretary, respectively. A call for a motion to elect a new Mendon City P&Z Chair was made.

Motion: Tullis moved to elect Jeri Hansen as Chair.

Second: Nielsen

Motion passed unanimously.

Anderson turned the meeting over to Jeri Hansen as the new Chair.

Hansen called for a motion to elect the Vice Chair.

Motion: Tullis moved to elect Jake Anderson as Vice Chair.

Second: Fannesbeck



Motion passed unanimously.

Discussion of **public agenda items** ensued.

- **Kyle Frandsen** – home addition, garage with room above
93 W 100 N; TIN 11-018-0014; zoned Commercial (C1)
Same point of access (driveway) as current home was clarified in response to a question by Anderson. Siding will match existing home.
Motion: Anderson moved to approve home addition application.
Second: Ludlow
Motion passed unanimously.
Hansen signed the P&Z project approval form for Frandsen to obtain a building permit from the City Building inspector.
- **Angela Sanford** – home addition, semi-detached two-level living space
362 N 200 E; TIN 11-012-0013; zoned Residential (R1/R2)
Need for a “mother-in-law apartment.” Addition will be attached to main house at roof line. Plans call for adding 1.5 bathrooms to an existing 3 bathrooms. Ludlow stated there appears to be a problem with septic – documentation was an old inspection from 1976 that was marked rejected. Shelton stated septic approval by health department is based on number of bedrooms and number of folks living there. Ludlow advised having BRHD (Bear River Health Department) personnel review home addition plans and existing septic system and them to issue an official report. Some discussion on drain field was had. All agreed for the need to have BRHD do a certification of the septic provisions for the addition.
Motion: Nielsen moved to approve the home addition application, conditional upon BRHD approval of septic system.
Second: Fannesbeck
Motion passed unanimously.

Anderson stated that to use the addition as an apartment, it becomes an Accessory Dwelling Unit (ADU) and requires a Conditional Use Permit (CUP). Hansen will email Sanford the information required to obtain a CUP.

- **Lewis Wight** – short-term rental (Nikki Oswald representing)
228 N 100 E; TIN 11-017-0003; zoned Residential (R1/R2)
Short-term rental (STR) inspection was passed. Nielsen inquired about the planned maximum occupancy. Application appeared to be within the guidelines of Mendon City’s new STR ordinance. It was confirmed that all parking for the STR would be confined to the property.
Motion: Ludlow moved to approve the short-term rental application.
Second: Nielsen
Motion passed unanimously.

With this approval, the Wight STR becomes the first of ~6 allowed STRs in the City.

Citizen participation: Stephanie Watkins asked about the status of her business license application. She had a consultation meeting for a new license with the previous P&Z Chair and Secretary. Per City Council, the process for new and renewal business licenses is on hold for review. Hansen asked for



patience while the process is reviewed and committed to maintaining contact with all business license applicants regarding the status of the process and next steps.

Paul Taylor inquired what constitutes a short-term rental (i.e., duration). Per Section 3.38 of the Zoning Code, short-term is for less than 30 days.

Jocilyn Bennett inquired about the business license renewal for her photography business. Hansen stated that for renewal applications, businesses can keep operating without penalty until the review of the business license process is complete.

Other business: City Council liaison Nemelka shared reflections on P&Z functions at this point of leadership change:

- Simplification of business license renewal process, which for the past 8 years has been a P&Z function, is proposed. This effort will be led by the new P&Z Chair in collaboration with City Council members Nemelka and Campbell. The desire is to implement a simpler process by means of online applications and renewal processes, bypassing P&Z approval where appropriate, particularly in connection with home-based business licenses where the business is free from commercial and customer traffic. Commercial/light industry business licenses would still be subject to P&Z review.
- Councilman Nemelka shared a letter from Kaia and Jake Sorensen regarding the confusion they experienced in trying to comply with the City's residential building permit process. The Sorensens expressed frustration with the amount of back-and-forth they experienced during the process. They suggested providing an outline of what the process entails and what documentation is needed online along with current contact information. They also stated they appreciated being able to have a consultation meeting before the actual P&Z meeting to make sure they had all the documentation in place.
- Nemelka pointed out that the P&Z Commission has latitude in defining processes to be followed in carrying out Commission duties. However, Subdivision application approvals, fee changes, and City code changes must go through City Council.
- Regarding the raising of some of the recent business license renewal rates to \$140, no basis for this increase has been identified yet. This has yet to be resolved.
- Relative to Type I home business licenses, Hansen indicated a Utah State Senate bill was passed in 2018 that may eliminate the current City requirement for licensing these types of businesses. Additional research will take place regarding this bill and its implications for the City's revised business license process.
- Nemelka addressed the enforcement process for P&Z code infractions. Content of a letter to the City reporting an infraction must contain the following:
 - Address of violation
 - Proof (e.g., picture)
 - Identification of the specific zoning ordinance(s) being violated
 - Contact information of the individual filing the complaintThe City will plan on 30 days to send a response to a complaint letter. The goal is to have a zoning violation submission process on the City website to help address such instances.

Question regarding where the P&Z Clerk job posting can be found on the City website. There appears to be some confusion over this. Hansen stated the job is posted in the News section of the website (Resident Resources > News).



Relative to the new Short Term Rental Ordinance (3.38 of the Zoning Code), Nemelka reiterated that the newly adopted ordinance (dated June 10,2021), Paragraph K provides that, “Any short-term rental that is in active operation on the date this Section goes into effect must be compliant with this Section within ninety days of the effective date of this Section.” Some discussion ensued – apparently, there are two individuals currently operating STR who plan on submitting STR applications and obtain the business licenses required to run them.

Stephanie Watkins inquired whether now, considering the 2018 Utah State Senate bill previously discussed, if she really needs a business license. Hansen stated as soon as more information is learned about the implications of this bill on the City’s business license process, she will advise Watkins accordingly.

Motion to adjourn: Nielsen
Second: Anderson
Motion passed unanimously.

7:15pm: The Mendon City Planning & Zoning Commission stands adjourned.

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