

**BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY COUNCIL CHAMBERS
ELECTRONIC MEETING
Tuesday, 7/20/2021 6:00 p.m.**

PRESENT:	Steve Barsuhn Dean Lester Cindy McConkie Jason Coppieters Roger Manning	Commissioner- Chair Commissioner Commissioner Commissioner Commissioner
EXCUSED:	Scott Mildenhall Holly Bell Curtis Hoehn	Commissioner- Vice Chair Commissioner Commissioner
ALSO PRESENT:	Mark Bradley Tony Ekins Sarah-Jane Martin Brek Anderson Gary Bywater Kurt & Cheryll Straub Jim Flint	City Planner Associate Planner Administrative Assistant Applicant Applicant Applicant Consultant

AGENDA

Pledge of Allegiance

Approval of Minutes

Application #21-068 / Preliminary Plat / Brigham Vista Subdivision / Skyline and Michelle Drive / Brek Anderson

Application #21-070 / Preliminary Plat / Apple Grove Subdivision Phase 4 / 700 West and 350 North / Gary Bywater

Application #21-071 / No-Dedication Combined Preliminary/Final Plat / Easter Falls Subdivision / 694 and 698 N. Highland Blvd / Kurt and Cheryll Straub

City Council Request – Address Parking Provision / Application #21-048 / Amend Brigham City Code Title 29 Zoning / Allow for Internal Accessory Dwelling Units within Single Family Dwellings and Establish Standards and Regulations / Brigham City Corporation

REGULAR MEETING

Regular session opened at 6:03 p.m. by Commissioner Barsuhn and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Commissioner Lester made a motion to approve the minutes for June 15, 2021 meeting. The motion was seconded by Commissioner Coppieters passed unanimously.

Application #21-068 / Preliminary Plat / Brigham Vista Subdivision / Skyline and Michelle Drive / Brek Anderson

Brek Anderson has submitted a preliminary subdivision plat application for the Brigham Vista Subdivision located at Skyline and Michelle Drive. The proposed subdivision consists of 15 single-family lots with two phases:

- Phase 1 – 9 lots
- Phase 2 – 6 lots

There are three parcels within the project area. The access to the property is through Lot 2, Block 4, Hyland Terrace Plat 1 (1147 S. Michelle Drive), a vacant lot. A concept plan application (#19-037) went through the Staff and Planning Commission back in May 2019 as a discussion item and then follow-up coordination with Staff in February 2021. There were Staff comments regarding Lot 1 and Fire Department comments regarding water pressure.

Questions and comments from the Planning Commission:

1. Is the applicant working with the other owners to join this plat, or will a plat amendment application need to be made?

Response from applicant: The property owners have been contacted and seem to be on board with joining the plat.

2. How many lots can be in a subdivision with only one access?

Response from the City Planner: City requirements states that a project with one access can have 30 units or 20 lots. This project is under the number of lots allowed.

3. Is the applicant prepared to meet all Staff comments?

Response from applicant: The applicant is willing to comply with all Staff comments.

Motion: Commissioner Coppieters made a motion that the Planning Commission recommend approval of application #21-068 subject to Staff comments, Findings of Fact, and stipulations as noted. It was seconded by Commissioner Manning and passed unanimously.

Application #21-070 / Preliminary Plat / Apple Grove Subdivision Phase 4 / 700 West and 350 North / Gary Bywater

Gary Bywater has submitted a preliminary subdivision plat application for Apple Grove Phase 4 with 6 single-family lots located at 700 West and 350 North. This application contains only a portion of the subject property. A concept plan (Application #21-047) that included the entire parcel went through the discussion process with Staff and the Planning Commission in May 2021.

Questions and comments from the Planning Commission:

1. The applicant is willing to address Staff comments regarding the final plat?
Response from applicants consultant: They would prefer not to at this time but are willing to work with Staff.

Motion: Commissioner McConkie made a motion that the Planning Commission recommend approval of application #21-070 subject to Staff comments, Findings of Fact, and stipulations as noted. It was seconded by Commissioner Coppieters and passed unanimously.

Application #21-071 / No-Dedication Combined Preliminary/Final Plat / Easter Falls Subdivision / 694 and 698 N. Highland Blvd / Kurt and Cheryl Straub

This new plat would modify the property line between the Straubs and Brigham City. The original owners made improvements that extended well into the adjacent property now owned by Brigham City. Both current owners, Straubs and Brigham City, are relatively new owners of the subject lots. The Straubs desire to address the situation and acquire the necessary property. Brigham City is supportive of the modification where the sole purpose of acquiring the lot is for access to other City properties and utilities. The use of the utility road does not allow the existing lot to meet any residential standard for any new dwelling. A public hearing will be held by the City Council to vacate any existing easements.

The new plat would stipulate the nature of the City property due to substandard lot width and size. The City Code allows an exemption for public utility lots. Utah Code allows for a new plat to be created rather than amend existing plats. Each lot is part of a different plat:

- Straub – Lot 6, Glenwood Springs Subdivision Plat 1 – Partial Amendment
- City – Lot 6, Skyline Terrace Plat IV

There were no questions from the Planning Commission.

Motion: Commissioner Lester made a motion that the Planning Commission recommend approval of application #21-071 subject to Staff comments, Findings of Fact, and stipulations as noted. It was seconded by Commissioner McConkie and passed unanimously.

City Council Request – Address Parking Provision / Application #21-048 / Amend Brigham City Code Title 29 Zoning / Allow for Internal Accessory Dwelling Units within Single Family Dwellings and Establish Standards and Regulations / Brigham City Corporation

This application was brought to the City Council meeting on July 15th. They have requested the Planning Commission revisit the parking requirements for Internal Accessory Dwelling Units (IADU). They are asking for provisions to be made to accommodate existing homes that do not have the required space outside the front yard setback to provide the additional parking space needed for an IADU.

The following is what will be presented to City Council for approval:

Required Off-Street Parking

One (1) additional on-site hard surface (concrete, asphalt, or pavers) parking space shall be provided for the exclusive use of the Internal Accessory Dwelling Unit, regardless of whether the primary dwelling is existing or new construction. If three or more spots already existing one can be designated for the exclusive use of the IADU. Such parking space shall be located outside of any front yard setback area.

Exceptions:

1. An existing primary dwelling with both side yard setbacks, each less than nine (9) feet in width may allow the additional required on-site parking space in the front yard setback provided the location of the parking space be adjacent to and abutting the existing driveway in the following order of priority (see Figure 29.05.270.C.5.a.i.).
 - On exterior side of driveway between the driveway and side property line, and
 - On interior side of driveway and not greater in width than ten (10) feet.
2. An existing primary dwelling with a single car garage or carport with an existing or proposed side yard parking space outside of the front yard setback may allow the additional required on-site parking space in the front yard setback provided the location is directly behind the side yard parking space as a tandem space (see Figure 29.05.270.C.5.a.ii).
3. An existing primary dwelling with a driveway that extends along the side yard to access an existing detached garage or carport may allow the additional required on-site parking space in the front yard setback provided the location of the parking space be adjacent to and abutting the existing driveway and not greater in width than ten (10) feet (see Figure 29.05.270.C.5.a.iii.).

4. In no case, shall the exempt parking location be allowed within the clear view area on a corner lot.
5. Drive approaches and curb cuts shall comply with Brigham City Public Works Standards.
6. A primary dwelling located within a homeowners association that restricts parking in the front yard setback or common area is not exempt under this provision.

Motion: Commissioner Lester made a motion that the Planning Commission recommend approval of #21-048 with revisions to the parking provision per the City Councils request, to include the exceptions as prepared by city staff with the following additions:

- One (1) additional on-site “hard surface (concrete, asphalt, or pavers)” parking space shall be provided for the exclusive use of the Internal Accessory Dwelling Unit, regardless of whether the primary dwelling is existing or new construction.
- “If three (3) or more parking spaces exist, one (1) space can be designated for the exclusive use of the Internal Accessory Dwelling Unit.”

The motion was seconded by Commissioner Coppieters and passed unanimously.

Motion to adjourn

Motion: A motion was made by Commissioner Coppieters to adjourn. The motion was seconded by Commissioner Lester and passed unanimously.

The motion passed unanimously and the meeting was adjourned at 8:04 pm.

This certifies that the regular meeting minutes of July 20, 2021, is a true and accurate copy as approved by the Planning Commission on August 3, 2021

Signed: _____

Sarah-Jane Martin, Administrative Assistant