



PLANNING & ZONING COMMISSION
Public Meeting of Wednesday, August 11, 2021
Mendon City Hall, 15 North Main Street, Mendon, UT 84325

MINUTES

Commission members present: Jeri Hansen, Keilani Ludlow, Bret Fonnesebeck, Burke Nielsen, Jake Anderson

Commission members excused: Brenda Tullis, Karen Shelton

City Council members present: Ron Campbell
Also present from Mendon City: Traci Hillyard (City Clerk)

Public members present: Greg Schroeder, Logan Brown

Presiding: Jeri Hansen, Chair

Minutes prepared by Ron Campbell

6:10pm: Hansen called to order the meeting.

Pledge of allegiance: Nielsen

Invocation: Anderson

Welcome: Hansen

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: Hansen presented minutes from the July 14, 2021 Planning & Zoning meetings for approval. No corrections noted.

Motion: Nielsen moved to approve the July 14, 2021 minutes.

Second: Ludlow

Motion passed unanimously.

Consent agenda: None

Discussion agenda:

- **Greg Schroeder** – short-term rental (STR)
41 West 200 North, Mendon, UT; TIN 11-018-0048; Residential (R1/R2) Zone
Commission members posed questions regarding the STR operation:
 - Nielsen inquired about current typical occupancy: most weekends, single-renter facility, four bedrooms, with maximum sleeping capacity of 14 individuals. Schroeder clarified for a second time that no more than one single-renter party occupies the STR space at a time.
 - Anderson stated he had gone back and reviewed the plan of the house as filed for its original building permit, indicating that the drawings had only one bedroom on the main floor (with 1 ½



baths) and an “open” upstairs with an additional bathroom. Anderson then asked how the STR property became a four-bedroom facility. Schroeder stated the original structure was built to be used by parents and family. Parents moved into an apartment occupying part of the house, and the decision was made to augment the “gathering place” part of the house and add the additional bedrooms so it could be used as a short-term rental. The decision to convert to a short-term rental came after the initial build was finished, similar to making extra bedrooms in an unfinished basement.

- Anderson inquired as to whether a building permit was obtained for the new bedrooms added. Schroeder stated he was not aware of any such requirement.
- Anderson voiced concerns about potential problems with septic system overload, since the current septic system was permitted by the Bear River Health Department according to the original plan for a single bedroom, two bath residence plus the apartment inhabited by the parents. Schroeder responded that there is nothing in the short-term rental ordinance requiring anything regarding the septic system.
- Nielsen inquired about where the drain field is located. Schroeder indicated the drain field is to the north of the house, on about 1/3 acre of land. He also clarified that there is no connection between this septic system and that of his adjacent personal residence, located immediately to the east.
- Ludlow pointed out that the septic system exists according to original plan, and now that the building use has changed (increased sleeping space for up to 14 individuals), the concern is that the septic may not be sufficient. Schroeder replied that if septic is a concern, he could drain tank as often as necessary.
- Anderson stated that since the building use has changed, the permitting should be updated. Schroeder responded that he didn't see a reason to make this an issue now. Anderson reiterated that there are concerns about the “change of use” after the initial residential building permit for the house was issued.
- A question from the commission was posed about having adequate parking space. Schroeder points out that a parking diagram was provided in the application showing spaces on the property (off street) for at least four vehicles, one per bedroom, as required in the STR ordinance.
- Relevant note: The Schroeder application for an STR license is dated within the 90-day period granted under the revised Mendon City STR ordinance (part of the Zoning ordinances), paragraph K, for existing STR operators to come into compliance with the revised code.

Motion: Anderson moved to approve the short-term rental application.

Second: Fonnesbeck

Motion passed unanimously.

Hansen will work up the short-term rental license and issue it shortly.

With this approval, the Schroeder STR becomes the second of ~6 allowed STRs in the City.

- **Logan Brown** – new single-family residence
39 East 300 South, Mendon, UT; TIN TBA; Residential (R1/R2) Zone
 - Anderson inquired about the details of the new lot created which the building permit was applied for. Mendon City Council approved the lot split in its meeting on July 8, 2021, creating the subject 5/8-acre lot, leaving an existing home on the corner lot of 5/8 acre, adjoining to the west. Brown reports that between the two lots, there exists four shares of Mendon-Wellsville Canal water.



- Brown has the (now) two 5/8-acre lots under purchase contract and wanted to have the building permit approved before finalizing purchase. Brown currently owns the home and 1.25-acre lot adjoining to the north, which is currently his residence. The plan for the existing corner home is to eventually make it available as a rental property.
- Anderson explained that upon the actual granting of the building permit, standard procedure requires water shares on the property to be turned over to the City.

Motion: Ludlow moved to approve the building permit application, subject to Brown finalizing purchase of the lot.

Second: Nielsen

Motion passed unanimously.

Hansen will provide the project approval form to Brown for the building permit upon Brown's submittal of a copy of the deed to the property after the purchase is complete.

Citizen participation: None

Other business:

- Code violation complaint process: Zoning code violation complaint process (discussed in last month's P&Z meeting) is being refined with a proposal to City Council that the process begins with the filing of a complaint form on the City website. Councilman Nemelka has drafted the proposed instructions and complaint form to be placed on the City website. Councilman Campbell passed out a copy of Nemelka's draft to each P&Z Commissioner for review. P&Z would like some time to review this first draft and possibly suggest changes. Councilman Campbell will introduce the "Zoning Code Violation Complaint Process" document and intended implementation to City Council during its regular meeting on August 12, 2021, and also let City Council know that P&Z will have a final proposal for this soon. Nielsen suggested that the form be available on paper at the City offices (not limited to access on the City's website). Hillyard recommended the wording "City Staff" should be changed to "City Compliance Officer" and we should hire for this position. Ludlow suggested Mendon City partner with several other small towns in the valley to hire a "City Compliance Officer" who would serve all towns in the partnership.
- Hansen stated no applications have been received by the City for the advertised P&Z Clerk position. The proposal now is to add the P&Z Clerk duties to the City Clerk job, and hire a deputy city clerk to assist in carrying the additional administrative burden. This proposal is before City Council for consideration.
- Anderson remarked we are learning some lessons about considering STR rental permits. The fact is, Schroeder was out of Mendon Zoning compliance when he changed the usage of that home structure (one bedroom to four, and offering it as a short-term rental). Some discussion followed with respect to the Schroeder STR permit application, but no firm objectives we settled upon at this time.
- Hansen stated the application for an STR permit for Bruce Anderson will be on the September P&Z agenda. What do we do about the "tree house" situation? No actions were decided upon, except that Anderson suggested a virtual (online) administrative meeting of the P&Z for later in the month to handle suggestions on the Zoning code violation complaint process and possible ways to handle the STR permit application coming in September.

Motion to adjourn: Nielsen

Second: Fannesbeck

Motion passed unanimously.



7:30pm: The Mendon City Planning & Zoning Commission stands adjourned.

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