

**HYDE PARK CITY
PLANNING COMMISSION MEETING
October 6, 2021
Minutes**

PC Meeting began at 7:00 pm, and was conducted by Mark Lynne.

MEMBERS PRESENT

Mark Lynne, Trent Hagman, Derek Grange and Rachel Erickson

OTHERS PRESENT

Mayor Wheeler, Councilmembers Cox and Allred, PC Secretary Melinda Lee, Brian Potts, Jay Downs, Kevin Flint, Cody Edelmayer, and Monica Edelmayer

THOUGHT/PRAYER – Trent Hagman

PLEDGE OF ALLEGIANCE – Rachel Erickson

APPROVAL OF MINUTES – September 15, 2021

Rachel Erickson made a motion to approve the Minutes as presented from the Planning Commission Meeting held September 15, 2021. Mark Lynne seconded the motion. Motion carried 4/0.

BUILDING PERMITS ISSUED

Home	Casey Lewis	225 N 900 E	Home	BATC	94 S 900 E
Home	CLK Construction	183 S 1000 E	Home	Heritage Land Dev	448 N 900 E
Home	Heritage Land Dev	393 N 900 E	Home	Heritage Land Dev	495 N 900 E
Commercial Addition	Hyde Park City 113 East Center				

CITY COUNCIL MEETING REPORT

Councilmember Cox reported on City Council Meeting held September 22, 2021.

1. Received CAPSA presentation on services offered.
2. Finished emergency preparedness with Brian Potts.
3. Approved rezone for Cedar Bluff Subdivision.
4. Approved amendment regarding dangerous dogs.
5. Approved Minimum Improvement Standards amendment.
6. Approved rezone request of Rick Champlin.
7. Mayor announced City Public Open House scheduled for November 9, 2021.

CONSIDER AMENDMENTS TO SUBDIVISION ORDINANCE - 13.20 DEFINITIONS (Legislative)

Recently, the city wanted curb, gutter and sidewalk installed for two new homes being built on vacant lots. Each one is part of an older subdivision where the infrastructure was not required at the time. City ordinance currently does not require builders to install that on their own. The intent is to reach connectivity and have all new homes, going forward, install this infrastructure.

Rachel wondered if we should also require sidewalks when people take advantage of DADUs and build a second home on their property. Mark wondered if it shouldn't be tied to the issuance of building permits. No permit, or occupancy, should be granted without curb, gutter and sidewalk and other street improvements - or a bond for such. Mark suggests looking into this further, especially regarding building permits. Item continued.

CONSIDER ADDITIONAL CHANGES TO THE ADU ORDINANCE (Legislative)

- Mark added the penalty from state code
- Under D. Standards and Conditions\ a. Remove last sentence about 1,000 maximum.
- Realign 2. IADU numbering a-e; drop current “d”
- For DADUs, add “livable space” after “Maximum DADU home size: 1,000 sq. ft.”
- Mark will add the reference to state code.

Because multiple City Council members were present, Mark told them he made a folder for all the reference materials PC used for their review. No one else had any other concerns. Mark will prepare a final copy for a vote next meeting.

CONSIDER UPDATES TO THE MASTER ROAD PLAN (Legislative)

Mark pointed out the future traffic signals and multiple future planned roundabouts, even a smaller one at the intersection of the cemetery. Jay Downs pointed out the need for roundabout designs to allow fire trucks, delivery trucks and snow plows as well. A roundabout at the cemetery corner may not be feasible for those trucks. Mark will ask Sunrise Engineering about dimensions of roundabouts and turning radii of fire ladder trucks. Item continued.

CONSIDER SUBDIVISION TRAILS DENSITY OPTION (Legislative)

Charles explained a bit of a conundrum. The City had to pay large amounts to get the trail in around Juniper Trails Subdivision (partly because the city wanted a trail wide enough for a small fire truck). Can we build a trail in sensitive lands and allow density? He is unsure how to accomplish the goal of developers installing trails and trading for density. It may be problematic in places on the east bench with the power line trail and lower in the city around the ditch near the Post Office.

Rachel asked for clarification. Q: We want the developer to build the trail? A: Yes. We do not want to pay for a trail in sensitive land areas. The city gives density in trade. Rachel and Melinda noted a few grammar corrections in the prepared draft. Mark will update the draft. Item continued.

CONSIDER SHORT-TERM RENTAL REGULATIONS (Legislative)

Rachel wondered why go to all this work to create an ordinance without an enforcement officer. Mayor gave an example of having an ordinance without a penalty. All you can do is say, “please” but they have no reason to comply. Trent believes Hyde Park is too small to have an ordinance, or if we do, at least have a very simplified ordinance – no inspections. Melinda said to define the purpose: Is it to reduce current nuisance, or to bring in tax revenue? Commissioners asked for City Council input.

Bryan Cox – said HB82 also addresses short-term rentals. He believes closer to Trent’s idea of limited regulations. They should register for a business license. If there are complaints, the license will be revoked. There are five or six here already.

Derek agreed we are not a destination community. He likes the idea of a license. Both Bryan and Derek agreed we need something, at least for safety reasons.

Rachel asked if the city wants to receive taxes from them. Mark says yes. Bryan says yes to license but not to regulate them. It is not worth the time for 6-10 of these. For other cities, he noticed parking was an issue for many.

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HB82 states if a home is identified as having an internal ADU, it cannot be used as a short-term rental. Derek reminded everyone if someone has a DADU, you cannot also do an IADU. He believes short-term rentals should not be allowed in addition to any ADU.

Jay Downs, Smithfield Fire Chief said these short-term units are so difficult. It meets the building code at first - then they remodel. If there is no annual inspection, they are not safe. Personally he believes we owe it to our own residents who live here year-round to monitor these more closely. He has seen the Garden City ordinance. It is extensive but it covers everything in case it is needed. Bryan Cox said if they 'step out of line' we are supposed to hold the owner responsible, but that does not actually take place. We have seen that issue already with one business here in Hyde Park.

Stephanie asked about current complaints. Kevin Flint said he is aware of one house that has been noisy at 2 AM a few times this summer. It is out of control. He said, "I guess a phone call should have been made and wasn't."

Mark wondered about contacting the owner of that home. If they do not even live here, they may not know. Stephanie said the owner lives in one room of the home. Garden City ordinance says an owner's representative must be within 15 minutes of the rental.

Derek said Logan City's ordinance basically says if it is loud enough across property lines then it is too loud.

Mark felt we had enough direction to work on this. Item continued.

CONSIDER MIXED-USE OVERLAY ZONE (Legislative)

No one had new information to share. Item continued.

TRAINING

- Attendees reported on ULCT Annual Convention in Salt Lake City, held September 29-October 1.
- **SAVE THE DATE - Upcoming Public Meeting: November 9** – Engage and listen to the public regarding healthy and inevitable growth.

Meeting adjourned at 9:10 PM

Melinda Lee, Secretary
Hyde Park Planning Commission