



Mayor Bryan Cox
PC Chair Tiffany Atkinson
Commissioner Mark Lynne
Commissioner Derek Grange
Commissioner Rachel Erickson
Commissioner Trent Hagman

HYDE PARK CITY
PLANNING COMMISSION MEETING
February 16, 2022
Minutes

PC Meeting began at 7:00 pm and was conducted by Planning Commission Chair Atkinson.

COMMISSIONERS PRESENT

Commissioners Tiffany Atkinson, Mark Lynne, Trent Hagman, and Rachel Erickson

OTHER CITY REPRESENTATIVES PRESENT

Mayor Cox, Councilmember Kevin Flint, City Administrator Marcus Allton, Charles Wheeler and PC Secretary Melinda Lee

OTHERS PRESENT

Jacob Given, Shelby & Mijo Kennedy, Skyler Jenks, Kelly Harmon, Christine Hall, and Larry Rupp

THOUGHT/PRAYER & PLEDGE – Commissioner Lynne

APPROVAL OF PC MINUTES

Atkinson made a motion to approve the Minutes as presented from the Planning Commission Meeting held February 2, 2022. Lynne seconded the motion. Motion carried 4/0.

CITY COUNCIL REPORT

Councilmember Flint reported on City Council Meeting held February 9, 2022:

1. Received update from Bret Randall on sewer system with Logan City. Should be online by July 4.
2. Held lengthy discussion on water conservation. Want to market to citizens as soon as possible.
3. Discussed USU Extension's WaterMaps program. Options and opinions varied as to the benefit. Item tabled – no final decision.
4. Passed Master Trails Density Option. Council sent a great thank you for the PC's work on that ordinance. Flint noted you deserve a thank you for ALL the work you do.
5. Passed updates to the Master Road Plan.
6. Discussed proposed water rate changes. No decision on new rates yet. Meant to discourage citizens from high use.
7. Chief Black gave a report on the NPPD. He is beginning his budget for the coming year.

PROCEDURE UPDATE

Both City Recorder Donja Wright and Melinda Lee recently noticed the city has been holding Public Hearings at the wrong level (City Council). Going forward, the Planning Commission will hold Public Hearings for ordinance changes.

PC INPUT

Lee shared a concern from Susan Balls who handles building permits. If someone buys multiple lots and wants to build their home across property lines, do they need to combine the lots first? Commissioners agreed property owners need to adjust lot boundaries or combine lots before obtaining a building permit.

RECONSIDER PERMITTED USES IN COMMERCIAL AND PLANNED PROFESSIONAL ZONES (Legislative)

If retail is included, could warehouses again be allowed? Atkinson invited public comment.

Skyler Jenks brought pictures and concept drawings of various commercial buildings. Most commercial businesses have retail in front and warehouse space in back. What he proposes are incubator spaces. They make up a lot of different uses. He guesses commissioners did not really mean to block all warehouses. He brought up various examples like a swim shop and Lazy One. He would like clarification on what a “warehouse” is. They would like to be ‘on the same page’ as the city before they close on the sale of property. Skyler noted they want projects to look good for the city and look good for the project. He feels the code is too strict in saying “no warehouses”.

Christine Hall has never been to a meeting. She asked about the approval process. These presented tonight are concepts. She does not like the images she saw. If that is passed, she would like them to look more like houses.

Mayor Cox recalled changing the ordinance so we did not get big warehouses. Perhaps we use square footage, adjoining commercial businesses/pods/storefronts. He would like to allow commercial businesses with storage (‘warehouse’ space) in back. We need to figure out what “no warehouses” means.

Lynne asked Skyler what he thinks about higher requirements for the street-side buildings - higher design standards.

Skyler completely agreed. He is completely willing to work with the city - without spending ‘gobs and gobs’ of money. They are open to retail in the space. He does not know what kind of retail can come in based on the current population. They are totally on board with making the highway or CMPO road have higher design standards. He compared his presented photos and drawings to the aesthetics of the new Cycles and Sleds building on the highway, mostly a plain metal building.

Christine asked for clarification on what types of businesses are allowed. She mentioned Doctor Johns in Logan. She would not want anything like that. Lee explained the state law regarding sexually-oriented businesses in cities. They must be allowed. Hyde Park has designated the Industrial zone.

Erickson expressed concern. She would like the retail to use more of the building than the warehouse portion.

Atkinson agreed. We are not anti-storage. She asked what Skyler’s plans are.

Skyler said they would build about a 25,000-square foot building then divide and rent as they go. It allows flexibility to them and the city. As far as straight retail, Hyde Park is not big enough to attract and

support that type of business yet. He expounded more on the swimsuit business that contacted him recently. They are looking for 2500 square feet. They want to package and ship items as well as sell retail from the front door. He acknowledged you could get a bakery - eventually. He feels his company assists the growth, businesses starting small and growing.

Erickson asked how we prevent unsightly warehouses.

Atkinson thinks site design is helpful.

Hagman said we do need the frontage to look nice. We live in a warehousing time – even Al's Sporting Goods is a warehouse. Nibley City has similar buildings with retail in front and warehouse space in back. Currently he works in a building with CNC stuff in back and commercial in front.

Jenks said currently HPC ordinance does not provide many design directions. They could legally build pretty ugly buildings in the city right now. Instead, they want to help make the city look nice. You do not want more 'Cycles and Sleds buildings'. You do not want garage doors in front. He also knows 99% of businesses need on-site storage space.

Kelly Harmon, also with Capita Group, said they are trying to accommodate a niche market.

Cox said whether you limit the size of individual structures, for instance require 15-20% retail, or go another direction. There are a lot of avenues to take to create that persona of retail with online service in back.

Atkinson mentioned prohibiting "warehouse-only" space. She suggested clarifying that in the next meeting.

Christine asked about access and "unsavory businesses". What about a list of businesses? What happens if the business sells? Are those monitored?

Atkinson will research how warehouses are allowed in commercial zones in other cities. She will put this on the next agenda. Next meeting we can define if/how we can allow that.

Lynne suggested checking Nibley City to see what percentages are retail vs. warehouse, see if there is a 'common denominator'.

CONSIDER SHORT-TERM RENTAL ORDINANCE (Legislative)

Clarify new short-term rental draft ordinance. May the same property owner also have an ADU on the property, separate from a short-term rental? Atkinson again invited public comment.

Shelby Kennedy just bought property. They plan to build a mother-in-law apartment and also want to use a portion of their home as a short-term rental.

Lynne added a line to the STR ordinance prohibiting ADUs and STRs on the same property. He asked for input. Do other commissioners agree, or do they want it changed?

Shelby's would all be an internal ADU, containing three family units in one home.

Erickson believes the issues are parking and noise.

Commissioners discussed parking requirements.

Atkinson believes they can have their parents with them in the basement and use part for an STR. Hagman clarified he agrees you should not rent an ADU AND rent another part as an STR.

Commissioners seemed to agree that one or the other would be allowed, but not both.

Given questioned allowing extra entrances. Are you not just opening the door to undermining the law?

Proposed amendments to STR draft:

1. Add #8: "An owner is not allowed to have both an IADU and a DADU on a parcel. Nor is an ADU allowed in addition to an STR."
2. Add link to ADU ordinance. "See 12.30.190 Accessory Dwelling Units"

Shelby asked why not allow both.

Erickson noted HPC does not even allow any multi-family housing currently. As growth happens, they may be allowed in the future.

Lynne agreed. He feels residents would object if both were allowed at this time.

CONSIDER 12.160 LANDSCAPING ORDINANCE AMENDMENTS (Legislative)

Review commercial and industrial zones amendments. Consider draft addition for residential zones.

The latest draft includes changes to the commercial and industrial zones from last meeting.

Allton noted the newest changes include a whole section for residential landscaping. He especially likes the links at the bottom referring to local, water-wise plants good for our area.

Lynne said he had not reviewed this draft much yet.

Allton clarified "turf" means lawn/grasses of any kind (not artificial turf). HB 95 proposes outlawing cities requiring any kind or amount of turf. The bill uses 35% as a maximum. This draft abides by HB 95. Hyde Park City wants the maximum allowed turf to be 35%, up to a maximum 5,000 square feet.

To calculate the landscaping area of the lot, you first subtract the house footprint, driveway and other paved surfaces or building areas, before calculating the 35%.

Amendments:

1. [Erickson wants to] remove "street" from "street trees". It seems to be an unknown reference.
2. Remove "Chapter" reference (highlighted)

A Public Hearing will be held next meeting.

CONSIDER new 12.30.030 SIMPLE PARCEL DIVISION/LOT SPLITS (Legislative)

This section is meant for dividing parcels without active plans to develop either parcel. It does not require infrastructure improvements – as the subdivision process does.

Atkinson asked if this would be handled completely by office staff.

Lynne thinks DRC and staff could handle it. He brought this forward because of at least 3 recent examples:

- Champlin's recent development that (at one time) was going to be split between father and son.
- Arthur Taylor's property was allowed to be phased, but infrastructure improvements were never made. This would 'tag' the deed.
- The Allred family wanted to divide up the property then build on part of the parcel. After dividing off the house, one son wanted to build but did not want to make improvements on the whole property. With this they could split now and make improvements upon development.

Commissioners felt the document was clean and well-thought out.

This too will be considered at a Public Hearing next meeting.

CONSIDER MASTER ROAD PLAN ADDITIONS (Legislative)

Currently no road exists (is required) at 400 W/1000 W, in the industrial zone, at 600 S heading north. What is currently shown as "400 W" is closer to 500 W/1100 W in Hyde Park coordinates. Should one of the roads curve to meet Smithfield City's 400 W?

4 Amendments were proposed:

1. Lynne walked Commissioners through the logic of continuing our 400 W/1000 W road north from 600 S to 4200 N.
2. Wheeler suggests also continuing 325 S westward to 400 W/1000 W.
3. Also drop currently labeled "400 W" road from the Master Road Plan.
4. Lynne further wondered about pushing the curve in the west CMPO road further north so as not to interfere with the current Niederhauser Commercial Subdivision Preliminary Plat.

Commissioners agreed. This will also be scheduled for a Public Hearing next meeting.

Meeting adjourned at 8:30 PM

Melinda Lee, Secretary
Hyde Park Planning Commission