

**BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY COUNCIL CHAMBERS
Tuesday, 3/1/2022 6:00 p.m.**

PRESENT:	Steve Barsuhn	Commissioner- Chair
	Scott Mildenhall	Commissioner- Vice Chair
	Dean Lester	Commissioner
	Jason Coppieters	Commissioner
	Holly Bell	Commissioner
	Cindy McConkie	Commissioner
	Roger Manning	Commissioner
	Mandi Richens	Commissioner

EXCUSED:

ALSO PRESENT:	Mark Bradley	City Planner
	Tony Ekins	Associate Planner
	Sarah-Jane Martin	Administrative Assistant
	Tyson Packer	Applicant
	Gene Stephens	Applicant

AGENDA

Pledge of Allegiance

Approval of Minutes

Public Hearing ¹ / Application #22-017 / Amend Brigham City Code Title 29 Zoning, Chapter 29.12 Residential and Multiple Residential Districts, Section 29.12.100 Height Regulations / Tyson Packer

Public Hearing ¹ / Application #22-019 / Amend Brigham City Zoning Map / Rezone from A-5 (Agricultural District) to M-D (Manufacturing-Distribution District) on approximately 10.52 acres / Approximately 350 North and American Way / RW Custom, Inc.

Training

REGULAR MEETING

Regular session opened at 6:00 pm by Commissioner Barsuhn and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Commissioner Coppieters made a motion to approve the minutes with corrections as noted for February 15, 2022 meeting. The motion was seconded by Commissioner Lester passed unanimously.

Public Hearing ¹ / Application #22-017 / Amend Brigham City Code Title 29 Zoning, Chapter 29.12 Residential and Multiple Residential Districts, Section 29.12.100 Height Regulations / Tyson Packer

The applicant would like to construct a detached garage (accessory building) behind his home, located on the hillside off Marie Drive. Due to the yard's slope, he would like to construct a lower level (story) beneath the detached garage and use that space for storage. The garage would be accessed from Marie Drive along the south side of the home. The request to amend the City Code seems reasonable and, in this circumstance, would appear not to have an impact on the adjacent neighbors. As with any City Code amendment, the City must take into consideration all properties with slope sites and any implications, which includes location or placement of structure in relationship to neighboring properties.

Key Points:

- An accessory building over 200 sq. ft. must be at least 5 feet from property line unless an easement dictates otherwise. Specific standards should be incorporated so as not to impact adjacent neighbors, including placement within the buildable area and not within the main building setback areas.
- As part of this consideration, the maximum height of main buildings and structures needs to be updated. The R-M-15 and R-M-30 reference the number of allowed stories, but the height is the same as the other districts.

Questions and comments from the Planning Commission:

1. Is exterior design addressed in the code amendment?
Response from City Planner: The code amendment has no exterior design elements.
2. There was a discussion on needing a geotechnical report for engineering review for structure on slopes greater than 15%. The Planning Commission agreed that this requirement should be kept in the ordinance amendment.

Public Hearing:

Motion: Commissioner Coppieters made a motion to open the public hearing. It was seconded by Commissioner Bell and passed unanimously.

There was no public comment.

Motion: Commissioner Lester made a motion to close the public hearing. It was seconded by Commissioner Coppieters and passed unanimously.

Motion: Commissioner Lester made a motion that the Planning Commission recommend approval of application #22-017 subject to Staff comments, Findings of Fact, and stipulations as noted with spelling/grammar corrections. It was seconded by Commissioner Manning and passed unanimously.

Public Hearing ¹ / Application #22-019 / Amend Brigham City Zoning Map / Rezone from A-5 (Agricultural District) to M-D (Manufacturing-Distribution District) on approximately 10.52 acres / Approximately 350 North and American Way / RW Custom, Inc.

The applicants recently acquired two properties located north of Autoliv on American Way. There is a master road planned in that area that runs between the two properties from American Way to 1200 West. They would like to construct storage units.

The rezone request is consistent with the General Plan land use designation of “Manufacturing” and “Light Industrial”, with the adjacent south properties and industrial zoning for that area.

Public Hearing:

Motion: Commissioner Bell made a motion to open the public hearing. It was seconded by Commissioner Coppieters and passed unanimously.

Steve Leggett: Had problems with the previous owner of the property. According to Mr. Leggett, fill dirt was dumped on his property. Also, a fence was removed.

Blake Nichols: Is not in support of this application. He is concerned about how wet the property is and the added traffic with the development.

DeAnne Findlay: Is not in support of the application. She is concerned about the fireflies in the area that the development could impact. She would prefer the property remain agricultural so she can look at the fields.

Motion: Commissioner Coppieters made a motion to close the public hearing. It was seconded by Commissioner Mildenhall and passed unanimously.

Questions and comments from the Planning Commission:

1. From what street is the property accessed?
Response from City Planner: American Way
2. Is the Leggett property zoned MD?

Response from City Planner: Yes, Mr. Leggett's property is zoned MD.

3. Will the applicant have to work with the Army Core of Engineers to mitigate concerns with building in wetlands?

Response from City Planner: They would need to work with the Army Core of Engineers before anything could be built on the property.

4. The Planning Commission addressed concerns brought up by Mr. Leggett, Mr. Nichols, and Mrs. Findlay.

Motion: Commissioner Coppieters made a motion that the Planning Commission recommend approval of application #22-019 subject to Staff comments, Findings of Fact, and stipulations as noted. It was seconded by Commissioner McConkie and passed unanimously.

Training: Development Agreements

Motion to adjourn

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

The motion passed unanimously and the meeting was adjourned at 7:38 pm.

This certifies that the regular meeting minutes of March 1, 2022 , is a true and accurate copy as approved by the Planning Commission on March 15, 2022

Signed: _____

Sarah-Jane Martin, Administrative Assistant