

**BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY COUNCIL CHAMBERS
Tuesday, 6/7/2022 6:00 p.m.**

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

EXCUSED:	Steve Barsuhn	Commissioner
----------	---------------	--------------

ALSO PRESENT:	Mark Bradley	City Planner
	Tony Ekins	Associate Planner
	Sarah-Jane Martin	Administrative Assistant
	Chad Greer	Applicant
	Marshae Stokes	Applicant
	Brady Eudy	Applicant

AGENDA

Pledge of Allegiance

Approval of Minutes

Continued / Public Hearing ¹ / Application #22-043 / Amend Brigham City Code Title 29 Zoning, Chapter 29.11 Multiple Use, Agricultural, and Rural Residential Districts / Address Use Categories, Inconsistencies, and General Standards and Regulations / Brigham City Corporation

Application #22-054 / Conditional Use Permit / Dwellings located in the same building and located above, behind, or beneath a principle commercial use / 63 South Main / Chad Greer

Application #22-055 / Preliminary Plat / Beeton Path Subdivision / 400 South and 1200 West / Garth Day, Heritage Land Development

Application #22-056 / Amend Overall Project Signage Plan / Incorporate Love's RV Park / 1550 West and Forest Street / Brady Eudy, Love's Travel Stops & Country Stores, Inc.

Discussion Item:

- Continued / Application #22-027 / Revised Concept Plan / Avocet Acres Subdivision / Approx. 3125 W. Forest Street / Garth Day, Heritage Land Development

REGULAR MEETING

Regular session opened at 6:00 p.m. by Commissioner Mildenhall and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Commissioner Bell made a motion to approve the minutes with corrections as noted for May 3, 2022 meeting. The motion was seconded by Commissioner Coppieters passed unanimously.

Continued / Public Hearing ¹ / Application #22-043 / Amend Brigham City Code Title 29 Zoning, Chapter 29.11 Multiple Use, Agricultural, and Rural Residential Districts / Address Use Categories, Inconsistencies, and General Standards and Regulations / Brigham City Corporation

On May 3, 2022, the Planning Commission opened the public hearing and continued the public hearing to June 7, 2022, to allow staff more time to work on the draft language.

The following are key items and efforts being made with the draft amendment process:

- General cleanup of use table. The Mayor's office recommends focusing on essential items and holding off on significant changes except for animal and fowl units per parcel. For example, the Production Farms placeholder to further define and distinguish between east of I-15 and west of I-15 has been removed.
- Included an A-20 zoning district to support and encourage the continued use of agricultural lands with annexation of properties.
- Refined Rural Residential Districts to state "for personal use and home base agricultural production." This removes any unintended restrictions.
- Addressed nonconforming uses and subdivision of land.
- A public hearing has been scheduled for June 21, 2022, to amend the General Plan, Chapter 2 Land Use to modify "Agricultural Lands" and "Rural Residential" definitions. This would include the A-20 zone, remove the RR-10 zone, and allow Agricultural zones in the Rural Residential designation areas on the General Plan Land Use Map. Ultimately, this would allow for both Agricultural and Rural Residential zoning districts within the Rural Residential designation on the General Plan Land Use Map. This would give property owners choices on which zoning district they would like their property.

- General regulations on Keeping of Animals and Fowl.
- Creation of Animal and Fowl Units per parcel based upon acreage. Tony's research has been further refined for Brigham City with a couple of coordination meetings with various staff, the City Administrator, and the Mayor.

Key Points from the Planning Commission:

- Clarify how to handle the parent property of grandfathered parcel that decides to subdivide.
- Clarify 23.11.030. Uses – The definition is unclear and seems to imply that a property owner could not repair or do maintenance on an existing building.
- Agriculture and Forestry (4) - Combine A & B since they are all permitted uses.
- Change 29.11.040. Uses Not Listed – These will go to the Planning Commission for approval, not the Community Development Director.
- Cluster subdivision (11) – Does the 10% density increase reflect the gross or the net.
- Power generation (24) – Add a line for Solar, which would be permitted in all districts.
- Private stables (26) - Combine A & B since all uses are the same in the corresponding districts.
- Have the Veterinary Clinic (39) and Animal Hospital (17) combined and have a separate line for Hospitals.
- 29.11.110 – Height Regulations – add a line for Silos referencing where that code can be found.
- Concern about allowing horses on .75 acre property.

The public hearing was left open from the previous meeting. Bonnie Robinson, Jody Jensen, and Julianna Larsen made comment.

Key Points from the Public Hearing:

- Allow a large parcel to be divided into fields.
- Clarify how grandfathering would work for a parcel annexing into the city.
- Separate the west and east side of Forest Street instead of looking at them together.
- Removal of the Production Farming – the reasoning behind that decision.

The public hearing was left open.

Motion: Commissioner Lester made a motion to continue application #22-043 until the next scheduled meeting. It was seconded by Commissioner Coppieters and passed unanimously.

Application #22-054 / Conditional Use Permit / Dwellings located in the same building and located above, behind, or beneath a principle commercial use / 63 South Main / Chad Greer

According to the applicant, at the time of purchase of the existing building, the upper level was an active 5,000 square feet apartment. The application would like to renovate the upper level to include five high-end apartments, approximately 900 square feet each (the proposed layout indicates six apartments, but apartments five and six will be combined to make a single apartment). The renovation will include fire suppression, new electrical, plumbing, and HVAC. The existing Main Floor, approximately 5,000 square feet, is currently a dance studio, and no space renovations are intended. The existing basement, approximately 5,000 square feet, is presently non-active. If this CUP is approved, the applicant will renovate the basement into an underground parking structure with an elevator to accommodate access to the new apartments and parking requirements. If the underground parking structure is not economically or structurally feasible, the applicant will provide parking for each tenant on the east exterior of the building. Because of the nature of the building and its uses within the historic downtown area, all parking requirements will be reviewed and evaluated by the Planning Commission on a case-by-case basis. In the case of this application, pickup and dropoff for the dance studio, to staff's knowledge, is conducted on Main Street, and staff generally requires one parking stall per dwelling within the historic downtown area. Questions and comments from the Planning Commission:

1. Will you have a commercial dumpster or individual trash cans?
Response from applicant: The plan is to have a commercial dumpster for all residents.
2. Concerns about traffic associated with the dance studio.
3. Concern about the shared loading ramp?
Response from applicant: If underground parking is possible, provisions will be made to keep access to the loading/unloading area.
4. Concern about residents using neighboring business trash cans
5. Good idea to have surveillance camera in the parking area.

Notices went out to the surrounding area, and the following key points/concerns were either voiced at the meeting or through email:

- Parking and access for adjoining businesses and access to the loading/unloading ramp.
- Garbage collection – How will it be handled.
- Vandalism and damage to neighboring buildings (roof).
- Concerns regarding the dance studio's pickup and dropoff routine.

Motion: Commissioner Lester made a motion that the Planning Commission, acting as the Land Use Authority, approve application #22-054 subject to Staff comments, Findings of Fact, and stipulations as noted. With the following additions:

- Right of way for loading/unloading is maintained for neighboring businesses.
- A reasonable and safe method to access the dance studio is demonstrated to the city.
- Work with neighbors to meet safety and roof access concerns.

It was seconded by Commissioner Richens and passed unanimously.

Application #22-055 / Preliminary Plat / Beeton Path Subdivision / 400 South and 1200 West / Garth Day, Heritage Land Development

The applicant submitted a preliminary plat application consisting of 114 single-family lots to be constructed in three phases. The property is located south of 400 South between the RR tracks and 1200 West Street. The applicant realizes adjustments will need to occur on the east side near the railroad with the crossing and street alignments. Other streets have been adjusted from the concept plan to align with future north streets and south to connect to the Spring Creek Subdivision.

The applicant supports the City's interest in either creating a wider sidewalk/path along 400 South or designing a bike lane where this is one of few crossings west of the railroad to tie the community to the new Historic Orchard Pathway (paved shared-use path) along

1200 West Street. City Staff has further discussed 400 South Street, which is an 80-foot wide right-of-way, and due to the City's acquisition of additional right-of-way, additional sidewalk width and a bike lane can be accommodated. The City Engineer has designed street cross-sections for the full-width buildout and the portion the applicants are to improve with this development.

Questions and comments from the Planning Commission:

1. Is a turnaround required on the Glauser side?

Response from City Planning: No, the subdivision is only one house deep on that side, so that is not required

Motion: Commissioner Coppieters made a motion that the Planning Commission recommend approval of application #22-055 subject to Staff comments, Findings of Fact, and stipulations as noted. With the following additions:

- The east end might need an additional phase or be redesigned.
- If the east end requires a cul-de-sac, the application would need to be returned to the Planning Commission for approval.

It was seconded by Commissioner McConkie and passed unanimously.

Application #22-056 / Amend Overall Project Signage Plan / Incorporate Love's RV Park / 1550 West and Forest Street / Brady Eudy, Love's Travel Stops & Country Stores, Inc.

On August 20, 2015, the City Council approved Love's Travel Stops original Project Signage plan. On October 6, 2016, the City Council approved an Amendment to the original Project Signage Plan to include a freestanding dual pole sign (Project Signage Plan Application #3644). On May 16, 2022, Love's Travel Stops made an application to add additional signage to their freestanding dual pole sign. The pole sign will advertise their recent addition of Love's Travel Stop – RV Park (Permitted Use Permit Application #21-053) located at 55 South 1550 West, Brigham City. Brigham City Code Section 29.27.080. Sign/District Regulations allow additional sign area and height if the City Council approves an on-premises freestanding sign in the GC District within 1,000 ft. of an interstate interchange. Prior to the City Council's consideration, a comprehensive project signage plan must be submitted to the Planning Commission for their review and recommendation to the Council.

Motion: Commissioner Coppieters made a motion that the Planning Commission recommend approval of application #22-056 subject to Staff comments, Findings of Fact, and stipulations as noted. It was seconded by Commissioner Bell and passed unanimously.

Discussion Item:

- Continued / Application #22-027 / Revised Concept Plan / Avocet Acres Subdivision / Approx. 3125 W. Forest Street / Garth Day, Heritage Land Development

The City Council approved the rezone application on May 19, 2022. The applicant has provided a revised concept plan for discussion, which includes a cluster type concept with various lot sizes. The road sections (width and design) do not match the low-impact street section (rural design) presented by the City Engineer to the Planning Commission and City Council in the work session with the West Forest Street Sewer and Storm Water Study. Paul Larsen, Mark Bradley, and Garth Day met with Mike Dunphy, Deputy Project Leader with the Bear River Migratory Bird Refuge, to discuss the project and obtain feedback. The Bird Refuge prefers no street stubbed to their property and feels it will be more manageable with lots backing up against their property. Fencing between the two parties requires further discussion. A second street connection to the west was discussed and should have been shown on the plans.

Key items:

- Add a second stub street to the west for better connectivity.
- Contact Bear River Canal Company to get more information on working with the canal and ditch.
- Find out if the east and west canal needs to be piped or if a barrier would be sufficient.
- There would be no shared fences with the path between the center lots. Each homeowner would need to put in their own fence.
- Concern about maintaining the path between the center lots.
- Encourage lighting that creates a dark sky feel.

Motion to adjourn

Motion: A motion was made by Commissioner Bell to adjourn the meeting at 8:47 pm. The motion was seconded by Commissioner Manning and passed unanimously.

This certifies that the regular meeting minutes of June 7, 2022 , is a true and accurate copy as approved by the Planning Commission on June 21, 2022

Signed: _____

Sarah-Jane Martin, Administrative Assistant