



Mayor Bryan Cox
PC Chair Rachel Erickson
Commissioner Mark Lynne
Commissioner Derek Grange
Commissioner Trent Hagman
Commissioner Ryan Brady

HYDE PARK CITY
PLANNING COMMISSION MEETING
July 20, 2022
Minutes

PC Meeting began at 7:00 pm and was conducted by Commissioner Lynne. Lynne excused Commission Chair Erickson as she is feeling 'under the weather'.

CITY REPRESENTATIVES PRESENT

Planning Commissioners: Mark Lynne, Derek Grange, Ryan Brady and Trent Hagman; others - Mayor Bryan Cox, City Administrator Marcus Allton, Councilmember Kevin Flint

OTHERS PRESENT

Sandi Smith, Steven Taylor, Thayne Braegger, Milton Penrod and Geraldine Niederhauser

THOUGHT/PRAYER & PLEDGE – Commissioner Brady

APPROVAL OF PAST PC MINUTES

Grange made a motion to approve the Minutes as presented from the Planning Commission Meeting held July 6, 2022. Hagman seconded the motion. Motion carried 4/0.

CITY COUNCIL REPORT

Councilmember Flint reported on City Council Meeting held July 13, 2022:

1. Brian Potts reviewed the Emergency Plan and authority.
2. Reviewed and approved updated fees, including fees for ADUs and water trucks.
3. Re-approved ordinance for Krebs Annexation.
4. Approved Juniper Trails Phase 3 Final Plat, with conditions.
5. Approved amendment/addition to the Trails Density ordinance for parking lots and trailheads.
6. Reviewed ordinance re: Group Dwellings. Sent to PC with changes from the city attorney.

ADMINISTRATIVE ITEMS

REX & SANDRA SMITH CONDITIONAL USE PERMIT FOR DADU

Consider Detached Accessory Dwelling Unit (DADU) at 132 N 200 E on 1.31 acres in a residential (R-1) zone. Parcel ID: 04-039-0001

Sandi Smith explained the proposed DADU. The only concern was 30' x 36' = 1080', which is larger than allowed for living space. The extra 80 square feet or more will be a porch.

Next step for the Smiths: Submit for a building permit online via the Hyde Park website.

Grange made a motion to approve the Conditional Use Permit for a detached accessory dwelling unit as proposed. Lynne seconded the motion. Motion passed 4/0.

NIEDERHAUSER COMMERCIAL SUBDIVISION FINAL PLAT

Consider Commercial Subdivision at 3295 N HWY 91 for 11 lots on about 15 acres, zoned Commercial. Parcel IDs: 04-003-0028, 04-030-0055/0056, and 04-002-0009

Lynne pointed out that 200 West has an 80' ROW (for dedication purposes) while developing a 66' ROW is all that is required for now. 200 W road will eventually be completed as a West CMPO road. The road labeled 3300 N (HPC 325 S) will widen near the intersection at highway 91 to allow for a turning lane.

Allton related that our engineer is fine with approval, pending a few minor changes.

Steve Taylor addressed commissioners and will make whatever changes are necessary. He does not see any issues with any of the property owners. All parties that own property in this development will sign the Final Plat before it is recorded at the county.

Steve understands he will dedicate 80 feet for the ROW, but only develop it to 66 feet at this time.

They also discussed the storm water pond.

Brady made a motion to approve the Niederhauser Commercial Subdivision Final Plat, pending completion of all comments from Sunrise Engineering. Hagman seconded the motion. Motion passed 4/0.

LEGISLATIVE ITEMS

ASSIGN ZONE TO PROPOSED ANNEXATION OF 3 PARCELS OWNED BY J. SCOTT & CAROL BAKER AND TWO BROTHERS INC.

Parcel IDs: 04-049-0002/0004, and 04-001-0006

Commissioners discussed current zoning. They also browsed the annexation policy. It does not appear that the applicant has requested a certain zone.

Grange noted past concern of traffic. He hopes there is development of roads, as planned. Whether RE-20 or A-1, there will be added homes in the area. Developers can always request a rezone later.

Hagman agreed. He sees no problem annexing it in as A-1.

Grange made a motion to recommend A-1 zoning to City Council.

Hagman got Scott Baker on the phone. He had been watching via Zoom. Donja Wright, City Recorder, told Scott the only zone to fit city purposes would be RE-20.

Lynne read from the annexation policy. The Planning Commission is required to hold a Public Hearing for the zoning recommendation. There were discrepancies around the required Public Hearing. When is a zone assigned? Can the property be annexed without a zone?

Lee noted she could notice a Public Hearing tomorrow (10 days' notice) for August 3. That still works for the City Council Public Hearing for the annexation on August 10.

Developers will likely request a rezone no matter the zone assigned with the annexation. Lee noted the city will probably create new zones, including some kind of mountain zone, meant for cluster development.

Lynne asked Commissioners to come to a consensus tonight as to a zone so the same discussion would not need to happen again. Hagman chose RE-20, even though he personally likes A-1. Brady leaned toward A-1 and it could be rezoned later, perhaps by individual parcel. A zone allowing cluster development does not even exist yet. He wants to hear from the residents first.

Brady convinced Hagman to propose A-1. Grange felt that way all along. Lynne agreed to A-1.

13.30.025 SUBDIVISION OPTION AMENDMENTS (Allton)

Allton noted we had some issues with developers calculating trail density allowances. Sensitive lands need to be subtracted before doing calculations.

Brady asked about "other improvements". Should some things be listed out, itemized? It would be easier for the developer to see up front - What does HPC consider to be "other improvements"? He liked the proposed language otherwise.

This item will have a Public Hearing on August 3.

CONSIDER 12.150 SECONDARY WATER AMENDMENTS

Require secondary water lines to connect to neighboring subdivisions. Allton prepared an amendment. Commissioners liked it. This item will also have a Public Hearing on August 3.

CONSIDER 12.250 & 12.260 PUD AMENDMENTS

Milton Penrod, Advisory Board of Highland Cove PUD on 1000 East – Their complex is nearing completion. They are finding their common space has a lot of turf and uses a lot of water. The city required 30% open space. They propose reducing that requirement and possibly even allowing two more homes to take up that space at the north end of 970 East. Another idea is to

extend 970 East to 160 North. Either or both options would reduce water usage. Right now, the whole area is in sod.

Commissioners and Mayor Cox discussed storm water issues. The latest Juniper Ridge Subdivision Phase 3 was conditionally approved, pending the repair of the storm water pond located in Highland Cove PUD.

Lynne pulled up the original plat. Areas to the east (where Penrod proposes more homes) are also hashed out as storm water easement.

Penrod said they discussed pickleball courts but leaned away from that idea. He asked a second question: Is it beyond reason to have the private road annexed to the city?

Lynne explained we have changed the ordinance since this was approved. Right now, this city does not want to 'pick up' any more roads. If it went through to 160 N, the city might consider it. Plowing snow would be more reasonable.

The city does not, will not, own any of the storm water area. The city *will* take on liability of the storm water pond once accepted.

Commissioners also discussed fencing the entire area. Penrod does not believe Jeff Champlin is planning for that at all. Ordinance requires a 6-foot privacy fence around the entire development. Lynne hopes we have bond money on the project. [Lee found out later – this development began before the privacy fence was required by ordinance.]

Commissioners cannot approve additional lots with the ordinance as is. They do feel the ordinance could be amended to require less open space. Motivation? Water conservation.

Lynne likes the current spacing of 16 feet between homes in PUDs. Penrod agreed.

Penrod asked where that leaves his HOA. First step would be an ordinance change.

Mayor Cox noted park strips could also be reduced, but commissioners should carefully look around at all the impacts it would have everywhere. Do we create more challenges – like with snow removal?

Brady argued the open space does not need to be turf. It could be developed otherwise – pergolas, rocks, and/or pickleball courts.

Lynne asked if Commissioners are ready to make amendments.

Grange noted PUDs are not interested in providing soccer fields for grandkids. He is not opposed to reducing open space, but he likes keeping the 8' side setback (16'/0'). The Legends

has about 3 acres of open space that could be homes. Lynne noted that was for a wider subdivision. Grange argued there is no access to the rest of the homes.

Hagman likes the ordinance as is.

Flint does not remember Matt Harris discussing open space, just reduced setbacks.

Lynne asked for a motion to continue this item or make a motion to make changes.

Hagman made a motion to continue this item.

Cox directed them to list what changes they plan to make. Think snow removal (and snow piling). Grange said he has seen neighborhoods with a curb cut for pushing snow into a retention pond.

Item continued.

Meeting adjourned at 8:45 PM

Melinda Lee, Secretary
Hyde Park Planning Commission