



Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

Brighton Town Planning Commission

Public Meeting Agenda

Wednesday, August 17, 2022 7:00 pm

Pursuant to Utah Code Ann. § 52-4-207(5), I, Don Despain, have determined consistent with Section 52-4-207(5) of the Utah Open and Public Meetings Act, in my capacity as Chair of the Town of Brighton to hold the public meeting without an anchor location due to COVID19, which presents a substantial risk to the health and safety of those who may be present at the anchor location. The Town is located in Salt Lake County and is still under a 'Moderate Level of Transmission' alert stage for the COVID-19 pandemic; and the regular meeting place for the Planning Commission (the Fire Station in the Canyon) does not have sufficient space in the meeting room to provide for the recommended physical distancing to keep people safe from infection. This written determination shall expire 30 days from today. This meeting will not have a physical anchor location. All attendees will connect remotely.

Join meeting in WebEx

Meeting number (access code): 961 841 420

<https://slco.webex.com/meet/wgurr>

Join meeting in WebEx (download available at <https://www.webex.com/downloads.html> for Windows, Android, and Apple devices)

Tap to join from a mobile device (attendees only)

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[+1-602-666-0783](tel:+1-602-666-0783),[,961841420##](tel:+1-602-666-0783) United States Toll (Phoenix)

Join by phone

+1-213-306-3065 United States Toll (Los Angeles)

+1-602-666-0783 United States Toll (Phoenix)

Access code: 961 841 420

[Global call-in numbers](#)

Join from a video conferencing system or application

Dial wgurr@slco.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Need help? Go to <http://help.webex.com>

*UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707.
TTY USERS SHOULD CALL 711.*

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and MSD staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance, or recommendation to other bodies as applicable.

BUSINESS MEETING

- 1) Election of Chair and Vice Chair 2022. (Motion/Voting)
- 2) Approval of the March 16, 2022 Planning Commission Meeting Minutes. (Motion/Voting)
- 3) Other Business Items. (As Needed)

PUBLIC HEARING(S)

OAM2022-000652 – An Ordinance amending the Town of Brighton Land Use Code, Foothill Canyons Overlay Zone (FCOZ), Section 19.72.130, “Stream Corridor and Wetlands Protection.” The proposed amendment will remove the mention of “on-site wastewater disposal systems” in relation to stream corridor setbacks which are regulated by Salt Lake County Health Department. **Planner:** Jim Nakamura (Motion/Voting)

OAM2022-000653 – An Ordinance amending Section 19.04.462 of the Brighton Code of Ordinances to Include Wedding and Reception Uses in the Definition of “Restaurant Liquor License;” and to Enact Related Regulations. **Planner:** Brian Tucker (Motion/Voting)

OAM2022-000654 – An Ordinance Amending of Section 19.12.030 of the Brighton Code of Ordinances to eliminate mineral extraction and processing as a conditional use and explicitly prohibit the same and similar uses in the Forestry and Recreation zones; amend section 19.72.190 to eliminate mineral extraction and processing as a use for which waivers can be granted; amend section 19.76.030 regarding classification of permitted and conditional uses not listed in title 19; and to enact related regulations. **Planner:** Brian Tucker (Motion/Voting)

ADJOURN

Rules of Conduct for Planning Commission Meetings

PROCEDURE FOR PUBLIC COMMENT

1. Any person or entity may appear in person or be represented by an authorized agent at any meeting of the Commission.
2. Unless altered by the Chair, the order of the procedure on an application shall be:
 - a. The supporting agency staff will introduce the application, including staff's recommendations and a summary of pertinent written comments and reports concerning the application
 - b. The applicant will be allowed up to 15 minutes to make their presentation.
 - c. The Community Council representative can present their comments as applicable.
 - d. Where applicable, persons in favor of, or not opposed to, the application will be invited to speak.
 - e. Where applicable, persons opposing the application, in whole or in part will be invited to speak.
 - f. Where applicable, the applicant will be allowed 5 minutes to provide concluding statements.
 - g. Surrebuttals may be allowed at the discretion of the Chair.

CONDUCT FOR APPLICANTS AND THE PUBLIC

1. Speakers will be called to the podium by the Chair.
2. Each speaker, before talking, shall give his or her name and address.
3. All comments should be directed to the Commissioners, not to the staff or to members of the audience.
4. For items where there are several people wishing to speak, the Chair may impose a time limit, usually 3 minutes per person, or 5 minutes for a group spokesperson. If a time limit is imposed on any member or spokesperson of the public, then the same time limit is imposed on other members or spokespersons of the public, respectively.
5. Unless otherwise allowed by the Chair, no questions shall be asked by the speaker or Commission Members.
6. Only one speaker is permitted before the Commission at a time.
7. The discussion must be confined to essential points stated in the application bearing on the desirability or undesirability of the application.
8. The Chair may cease any presentation or information that has already been presented and acknowledge that it has been noted in the public record.
9. No personal attacks shall be indulged in by either side, and such action shall be sufficient cause for stopping the speaker from proceeding.
10. No applause or public outbursts shall be permitted.
11. The Chair or supporting agency staff may request police support to remove offending individuals who refuse to abide by these rules.
12. After the public comment portion of a meeting or hearing has concluded, the discussion will be limited to the Planning Commission and Staff.



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**MEETING MINUTE SUMMARY
TOWN OF BRIGHTON PLANNING COMMISSION MEETING
Wednesday, March 16, 2022 7:00 p.m.**

Approximate meeting length: 1 hour 3 minutes

Number of public in attendance: 5

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Despain

***NOTE:** Staff Reports referenced in this document can be found on the State website, or from Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Donna Conway	x	x	
Don Despain (Chair)	x	x	
Ulrich Brunhart	x	x	
Tom Ward			x
Ben Machlis (Vice Chair)	x	x	
Phil Lanuette (Alternate)			x
John Carpenter (Alternate)	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Jim Nakamura	x	x
Melissa Anderson	x	x
Cameron Platt	x	x

BUSINESS MEETING

Meeting began at – 7:06 p.m.

- 1) Approval of Minutes from the February 16, 2022 Planning Commission Meeting.
Motion: To approve Minutes from the February 16, 2022 Planning Commission Meeting with an addition of square to the word feet as “square feet” in clarifying units.

Motion by: Commissioner Conway

2nd by: Commissioner Brunhart

Vote: Commissioners voted unanimous in favor (of commissioners present)

- 2) Discussion on Future Amendments to the Foothill Canyons Overlay Zone (FCOZ). **Planner:** Jim Nakamura

Mr. Nakamura went over the documents provided planning commission today. Commissioners and staff had a brief discussion regarding depending on staff for figures, smaller acres, less than an acre and 10000 square feet of disturbance, buildable setbacks from stream and buildable set setbacks from property line, snow storage, removal, and perennial, 1/2 acre or less is 80% or 15000 sf, whichever is more. Next meeting will have research done on FCOZ projects over the last few years and what it should be.

- 3) Other Business Items. (As Needed)

No other business items to discuss.

Commissioner Brunhart motioned to open the public hearing, Commissioner Conway seconded that motion.

PUBLIC HEARING(S)

Hearings began at – 7:46 p.m.

OAM2022-000527 - An Ordinance amending the Brighton Land Use Code, Section 19.02.150. The amendment to Section 19.02.150 is proposed to address Inactive Applications. **Presenter:** Melissa Anderson (Motion/Voting)

Greater Salt Lake Municipal Services District Planning Manager Melissa Anderson provided a presentation regarding the ordinance amendment.

Commissioners and staff had a brief discussion regarding exceeding 180 days, 90 days request for extension, Completeness review, address communication and logistics.

PUBLIC PORTION OF HEARING OPENED

No one from the public present to speak.

PUBLIC PORTION OF HEARING CLOSED

Motion: To recommend file #OAM2022-000527 for an Ordinance amending the Brighton Land Use Code, Section 19.02.150. The amendment to Section 19.02.150 is proposed to address Inactive Applications and amend to: All applications for property development and/or use permits shall be actively pursued to a final decision by the town. If no activity such as plan submittals, reviews, meetings, or communication by the applicant has occurred on an application for one hundred eighty (180) days, the application will be deemed as inactive, and the file closed. The applicant may submit a written request to maintain the application as active, wherein upon finding that there is good cause and reasonable belief that the application will be pursued to completion, the planning director, or their designee may grant a one-time ninety (90) day extension. Once a file is closed, an applicant will be required to reapply for permits or development to the Town of Brighton Council for approval.

Motion by: Commissioner Machlis

2nd by: Commissioner Brunhart

Vote: Commissioners voted unanimous in favor (of commissioners present)

OAM2022-000545 – An Ordinance amending the Brighton Land Use Code, Foothill Canyons Overlay Zone (FCOZ), Section 19.72.130, “Stream Corridor and Wetlands Protection.” The proposed amendment will amend the Perennial Stream Corridor Setback for Buildings and accessory structures from 100’ to 50’ measured from ordinary high-water mark. **Planner:** Jim Nakamura (Motion/Voting)

Greater Salt Lake Municipal Services District Planner Jim Nakamura provided a presentation regarding the ordinance amendment.

PUBLIC PORTION OF HEARING OPENED

No one from the public present to speak.

PUBLIC PORTION OF HEARING CLOSED

Motion: To recommend file #OAM2022-000545 for an Ordinance amending the Brighton Land Use Code, Foothill Canyons Overlay Zone (FCOZ), Section 19.72.130, “Stream Corridor and Wetlands Protection.” The proposed amendment will amend the Perennial Stream Corridor Setback for Buildings and accessory structures from 100’ to 50’ measured from ordinary high-water mark to the Town of Brighton Council for approval.

Motion by: Commissioner Brunhart

2nd by: Commissioner Machlis

Vote: Commissioners voted unanimous in favor (of commissioners present)

Commissioner Brunhart motioned to adjourn, Commissioner Conway seconded that motion.

MEETING ADJOURNED

Time Adjourned – 8:09 p.m.

DRAFT